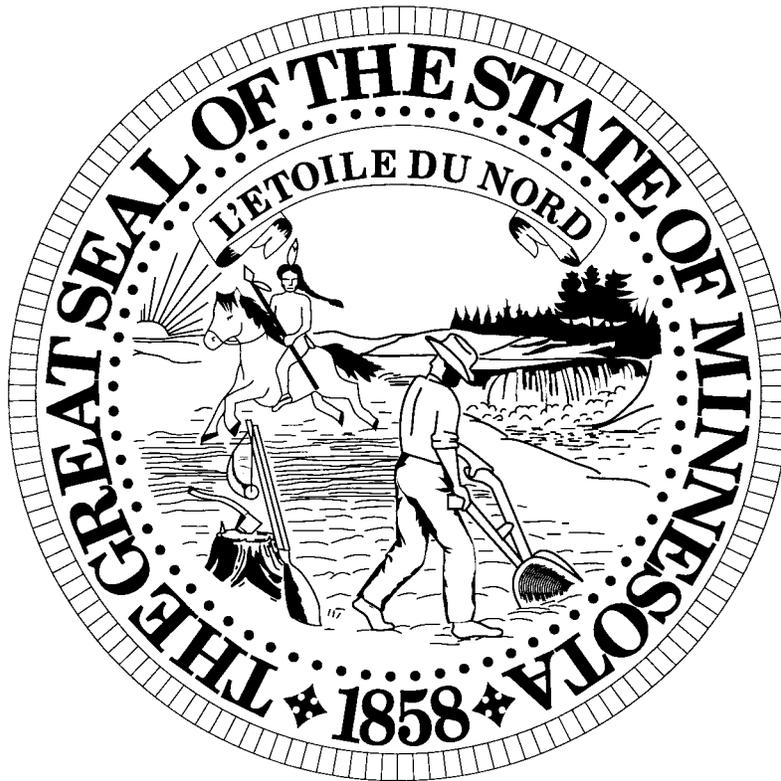


Minnesota

# State Register

Rules and Official Notices Edition



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Department of Administration – Communications Media Division

**Monday 12 January 2004**  
**Volume 28, Number 28**  
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# State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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Vol. 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
#28	Monday 12 January	Noon Tuesday 6 January	Noon Wednesday 31 December, 2003
#29	<b>TUESDAY 20 JANUARY</b>	Noon Tuesday 13 January	Noon Wednesday 7 January
#30	Monday 26 January	Noon Tuesday 20 January	Noon Wednesday 14 January
#31	Monday 2 February	Noon Tuesday 27 January	Noon Wednesday 21 January

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## Federal Register

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<b>Minnesota Rules: Amendments &amp; Additions</b>	
Monday 12 January 2004, Volume 28, Issue #28 .....	888
<b>Exempt Rules</b>	
<b>Higher Education Services Office</b>	
Adopted Exempt Permanent Rules Relating to Higher Education Financial Assistance and Registration Fees .....	889
<b>Commissioners' Orders</b>	
<b>Transportation Department</b>	
Order # 87570: Amended Uniform Traffic Control Devices Manual .....	892
Order # 87571: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed .....	892
<b>Official Notices</b>	
<b>Agricultural Society, Minnesota State (STATE FAIR)</b>	
Annual meeting in January 2004 .....	893
<b>Emergency Medical Services Regulatory Board</b>	
Completed Application in the matter of the license application of the Dodge Center Ambulance Service .....	893
<b>Minnesota State Law Library</b>	
Notice of County Law Library Filing Fees .....	894
<b>Minnesota State Retirement System (MSRS)</b>	
Regular meeting Board of Directors Thursday 15 January 2004 .....	894
<b>Pollution Control Agency</b>	
Notice of List of Impaired Waters for Stream Segments and Lakes Which Have Impaired Uses .....	894
<b>State Contracts</b>	
<b>Administration Department</b>	
<i>State Register</i> : Take advantage of the <i>State Register</i> .....	895
<b>Colleges and Universities, Minnesota State (MnSCU)</b>	
Request for proposals for Administration of Student Payment Service Plan .....	895
Request for proposals for Two Used Mini Buses .....	895
<b>Corrections Department</b>	
Grants and Subsidies Unit: Request for Proposals for Electronic Monitoring .....	896
<b>Education Department</b>	
Request for proposals for evaluation of the Teacher Quality Enhancement Grant Project .....	896
<b>Finance Department</b>	
Request for proposals for Unemployment Insurance Clearing Depository and Lockbox Services .....	896
<b>Transportation Department</b>	
Potential availability of contracting opportunities for a variety of highway related technical activities .....	897
Professional/technical contract opportunities .....	897
<b>Non-State Contracts &amp; Grants</b>	
<b>Hennepin County Designer Selection Committee</b>	
Advertisement for bids to provide design and construction administration services .....	898
<b>Metropolitan Council - Metro Transit</b>	
Armored Car Service for Hiawatha Light Rail Transit System Ticket Vending Machines .....	898
Bids sought for a 2-year supply of Disposable Hand Towels...	898
<b>Mower County Human Services Department</b>	
Request for proposals to Operate Transit System .....	899
<b>University of Minnesota</b>	
Advertisement for Bids for Asbestos/Mold Abatement - Student Health Services Building .....	899
Request for Proposal for Design and Construction of the Jackson Hall Stairwell Enclosure on the University's East Bank Campus .....	900
Bid Information Service (BIS) available for all potential vendors .....	901
Commodity, Service and Construction Contracts are published Tuesday and Friday in a bulletin, the <b>Solicitation Announcements</b> . Award results are available from the Materials Management Helpline (651) 296-2600. <b>Website:</b> <a href="http://www.mmd.admin.state.mn.us">www.mmd.admin.state.mn.us</a>	
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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 #27-28

### Higher Education Services Office

4830.0100; .0600; .7100; .7200; .7300; .7400; .7500; .7710; .7720; .7800; .8030; 4840.0400 (adopted exempt) .....	889
4830.0600 s. 2 (repealed exempt) .....	889

## Exempt Rules

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

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

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

These exempt rules are also reviewed for form by the Revisor or Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years from the date of publication of the rule in the *State Register*. Rules adopted, amended or repealed under clause (3) or (4) are effective upon publication in the *State Register*.

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

## Higher Education Services Office

### Adopted Exempt Permanent Rules Relating to Higher Education Financial Assistance and Registration Fees

#### 4830.0100 DEFINITIONS FOR HIGHER EDUCATION PROGRAMS.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Minnesota resident.** “Minnesota resident” means:

- A. a dependent student whose parent or legal guardian resides in Minnesota on the date of application;
- B. ~~an independent~~ a student who has resided in Minnesota for other than educational purposes for at least 12 consecutive months without being enrolled at a postsecondary institution for more than five credits in any term prior to the date of application;

[For text of items C to E, see M.R.]

[For text of subps 10a and 11, see M.R.]

#### 4830.0600 AWARDS.

Subp. 1e. **Awards for fourth quarter or third semester.** In calculating a state grant for the fourth quarter or third semester within a fiscal year, the award shall be calculated as specified in *Minnesota Statutes*, section 136A.121, ~~subdivision~~ subdivisions 5 and 9a. ~~The amount of the federal Pell Grant subtracted in the calculation shall be the lesser of:~~

- ~~A. the amount of the federal Pell Grant for which the grant applicant is eligible; or~~
- ~~B. the amount of funds remaining from the applicant’s full-time annual Pell Grant award.~~

Subp. 2. [See repealer.]

#### 4830.7100 DEFINITIONS.

[For text of subps 1 and 2, see M.R.]

Subp. 2a. **Eligible child.** “Eligible child” means a child who is 12 years of age or younger, or 14 years of age or younger who is disabled as defined in *Minnesota Statutes*, section ~~120.03~~ 125A.02, and who is receiving or will receive care on a regular basis from a provider of child care services as those terms are defined in *Minnesota Statutes*, section ~~256H.01~~ 119B.011, subdivisions ~~2 5 and 12 19~~.

Subp. 5. **Eligible student.** “Eligible student” means a student who:

- A. has a child 12 years of age or younger, or 14 years of age or younger who is handicapped as defined in *Minnesota Statutes*, section ~~120.03~~ 125A.02, and who is receiving or will receive care on a regular basis from a provider of child care services as those terms are defined in *Minnesota Statutes*, section ~~256H.01~~ 119B.011, subdivisions ~~2 5 and 12 19~~, after the grant is received;

- B. is a resident of Minnesota as defined in part ~~4830.0400~~ 4830.0100, subpart ~~2 10~~;

[For text of items C to J, see M.R.]

[For text of subps 5a to 7, see M.R.]

# Exempt Rules

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## 4830.7200 ELIGIBLE INSTITUTIONS.

Institutions eligible for child care grants are Minnesota public postsecondary institutions and Minnesota private baccalaureate degree granting colleges or universities or Minnesota nonprofit two-year vocational technical schools granting associate degrees that have signed a child care grant program agreement with the office.

## 4830.7300 STUDENT PRIORITY.

A student who has received ~~an award~~ a grant from the program in the immediately preceding academic year and who has had continuing enrollment at that institution since the time that the ~~non-AFDC~~ child care ~~award~~ grant was given must be given a child care ~~award~~ grant for the next academic year if the student remains eligible and funds are available. A student shall apply for a continuation of funds by the deadline date established by the school or lose priority ranking for the funds over students who did not apply for a continuation of funds by the established deadline and eligible students applying for a child care grant for the first time.

## 4830.7400 APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Reallocation.** The office shall reallocate available funds at least twice during the academic year to institutions requesting additional child care grant funds according to the following formula:

- A. the institution's share divided by the sum of the shares of institutions requesting additional funds; and
- B. multiplied by the amount of child care grant funds available for reallocation.

Subp. 4. **Administrative expense.** By July 1 of each year, the office shall set the percentage of awarded child care grant funds that may be used for administration of the child care grant program by the office and the institution. The percent of funds taken for the administration of the ~~non-AFDC~~ child care grant program shall be based on the net amount spent on child care grant awards for that fiscal year.

[For text of subps 5 to 7, see M.R.]

## 4830.7500 AMOUNT AND TERM OF GRANTS.

Subp. 2. **Amount.** The amount of a grant must be based on:

- A. the cost of child care for each child 12 years old or younger, or 14 years old or younger if the child is handicapped as defined in *Minnesota Statutes*, section 120.03;
- B. the provider's charge up to a maximum rate established each year by the office;
- C. the student's enrollment status; and
- D. the award chart prepared by the office.

The institution shall estimate the amount of child care needed for the academic year and summer terms, and may add an amount up to that estimated cost to the institution's normal student budget used to calculate the student's financial need. The ~~non-AFDC~~ child care grant and other forms of financial aid may be used to pay for the child care if the expense is not covered by other funds.

Subp. 2a. **Academic year ~~award~~ grant.** Beginning with the 2001-2002 academic year, the maximum ~~award~~ grant per eligible child for the academic year is the amount specified in *Minnesota Statutes*, section 136A.125, subdivision 4, minus a student expectation based on family income.

The formula used to calculate the child care grant ~~award~~ is as follows: the statutory maximum child care grant ~~award~~ amount minus ((family income minus 130 percent of the federal poverty level for the student's family size) multiplied by ten percent) equals the child care grant ~~award~~. If the formulaic result is less than zero, the ~~award~~ grant is set to zero. If the formulaic result is greater than the maximum statutory ~~award~~ grant, the ~~award~~ grant amount is the statutory maximum ~~award~~ grant.

[For text of subp 2b, see M.R.]

Subp. 2c. **Summer ~~terms~~ ~~award~~ term grant.** Students attending summer school may receive an additional grant ~~award~~ per eligible child up to one-third of the academic year ~~award~~ grant described in subpart 2a for quarter-based schools and up to one-half the academic year ~~award~~ grant described in subpart 2a for semester-based schools.

Subp. 3a. **Annual ~~award~~ grant amount.** The annual maximum grant per eligible child must not exceed the calculated amount in subpart 2a plus the amount in subpart 2c, or the student's estimated annual child care cost for not more than 40 hours per week per eligible child, whichever is less.

## 4830.7710 PROCEDURES FOR DENIAL OR TERMINATION OF A CHILD CARE ~~AWARD~~ GRANT.

Subpart 1. **Applicability.** Students meeting the eligibility requirements in part 4830.7100, subpart 5, but denied a child care grant ~~award~~ due to an institution's lack of program funds, shall be placed at the student's request on the institution's waiting list pending the availability of program funds. Subpart 2 and part 4830.7720 are not applicable to students who are denied child care ~~grant~~ awards grants due to lack of program funds.

Subp. 2. **Termination.** When terminating a student's ~~non-AFDC~~ child care ~~award grant~~, a school must follow its normal procedures used to terminate other financial aid ~~programs awarded~~. If the child care grant ~~award~~ is made by vendor payment, the school shall inform the child care provider of the notice of termination.

#### **4830.7720 APPEAL PROCESS.**

Subpart 1. **Appeal request.** An applicant or recipient of a child care ~~subsidy grant~~ adversely affected by a school's action may file a written request for an appeal with the school.

[For text of subp 3, see M.R.]

#### **4830.7800 REFUNDS.**

If a recipient fails to enroll or reduces enrollment, the school must refund the unused portion of the ~~award grant~~ to the ~~non-AFDC~~ child care grant program. If the director determines that a school has fraudulently handled grant money, the refund of the unused portion of the ~~award grant~~ is immediately due to the office, and the office may institute a civil action for recovery if necessary. Refunds to the ~~non-AFDC~~ child care grant program are determined as follows:

A. calculate the percentage that the child care grant ~~award~~ represents of the student's total financial aid package for the applicable term; excluding funds received from federal Title IV programs, *United States Code*, title 20, chapter 28, sections 1070 to 1099c-1;

B. calculate the total tuition refund amount using the refund calculation required of schools participating in federal Title IV programs, *United States Code*, title 20, chapter 28, sections 1070 to 1099C-1;

C. subtract the federal aid programs' refund amount from item B to determine the remaining tuition refund amount; and

D. multiply the percentage in item A by the amount calculated in item C to determine the amount to be refunded to the ~~non-AFDC~~ child care ~~grant~~ program.

Refunded money to the ~~non-AFDC~~ child care ~~grant~~ program is available for ~~awards grants~~ to eligible students.

#### **4830.8030 INSTITUTIONAL REQUEST AND DISBURSEMENT OF FUNDS FOR GRANTS.**

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Refunds.** A grant ~~award~~ is made for a student's attendance at a specific institution for ~~the nine-month academic year~~ ~~within~~ the state fiscal year. If a recipient fails to enroll or reduces enrollment, the institution must refund the unused portion of the ~~award grant~~ to the executive director. Refunded money is available for awards to other eligible students.

#### **4840.0400 REQUIREMENTS FOR REGISTRATION.**

Subpart 1. **Registration fees and related costs.**

A. Fees are not refundable.

B. A ~~\$550~~ \$1,100 fee shall accompany each initial registration application.

C. A ~~\$400~~ \$950 fee shall accompany each annual renewal registration application.

[For text of items D and E, see M.R.]

[For text of subps 2 to 7, see M.R.]

**REPEALER.** Minnesota Rules, part 4830.0600, subpart 2, is repealed.

# Commissioner's Orders

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

## Department of Transportation

### Amended Uniform Traffic Control Devices Manual Order No: #87570

**WHEREAS**, the Commissioner of Transportation has adopted a manual (Minnesota Manual on Uniform Traffic Control Devices, dated April 15, 2002) establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by *Minnesota Statutes*, Section 169.06, Subdivision 1; and

**WHEREAS**, said manual is being revised, to be adopted and distributed during calendar year 2004; and

**WHEREAS**, the Commissioner may authorize and adopt amendments to the Minnesota Manual on Uniform Traffic Control Devices.

**NOW, THEREFORE**, pursuant to authority vested in my office and as provided in *Minnesota Statutes*, Section 169.06, subd. 1 (2003), I do hereby adopt and prescribe the revisions as listed on the Record of Revisions or Additions as an amendment to the 2001 Minnesota Manual on Uniform Traffic Control Devices.

This Order amends Commissioner's Order No. 86252, dated April 15, 2002 as amended by Commissioner's Order 87127 dated May 22, 2003.

Dated at St. Paul, Minnesota, this 2nd day of January, 2004.

#### RECORD OF REVISIONS OR ADDITIONS

Revision Number	Date Issued	Pages Revised or Added
2	1/2004	TC-8, TC-15, TC-17, TC-29, TC-32, vii, ix, 1A-12, 2B-26, 2E-40, 2E-52, 6A-i, 6A-iii, 6A-iv, 6A-v, 6C-10, 6E-4, 6F-24, 6F-26, 6F-28 thru 6F-33, 6F-35 thru 6F-45, 6G-5, 6H-2, 6H-4, 6H-7, Chapter 6k (the Field Manual) in its entirety, 8B-3, 8B-8, A2-1, C-20, C-37, Index-2, Index-5 thru Index-10, Index-13, Index-15, Index-21, Index-22, Index-24, Index-26, Index-27, Index-30 thru Index-32, and Index-38.

Carol Molnau  
Lt. Governor/Commissioner

## Department of Transportation

### Order No: #87571: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

**WHEREAS**, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No's. 80212, 80246, 80580, 80861, 80881, 81000, 81092, 81371, 81511, 81557, 81641, 82955, 83138, 83536, 83616, 83720, 84056, 84222, 84232, 84256, 84353, 84354, 84439, 84532, 84902, 85225, 85246, 85668, 85784, 85922, 85932, 86170, 86468, 86931, 87349, and 87429 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

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

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

#### COUNTY ROADS

##### HUBBARD COUNTY

- C.S.A.H. 4 FROM T.H. MN34, 1.2 MILES EAST OF PARK RAPIDS, TO T.H. US71, 7.3 MILES NORTH OF SOUTH-WEST JCT T.H. US71 AND T.H. MN200 NEAR LAKE GEORGE (12 MONTH)

##### LE SUEUR COUNTY

- C.S.A.H. 23 FROM C.S.A.H. 36 IN OTTAWA TO 1.3 MILES SOUTH OF C.S.A.H. 36 (UNIMIN DRIVEWAY) (12 MONTH)

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# Commissioner's Orders

- C.S.A.H. 36 FROM C.S.A.H. 23 IN OTTAWA TO THE SOUTH CORPORATE LIMITS OF LE SUEUR (12 MONTH)

## NOBLES COUNTY

- C.S.A.H. 1 IN BREWSTER, FROM T.H. MN60 TO NORTHWEST JCT C.S.A.H. 14 WITH C.S.A.H. 1 (12 MONTH)
- C.S.A.H. 14 FROM NORTHWEST JCT C.S.A.H. 1 WITH C.S.A.H. 14 IN BREWSTER TO T.H. MN266 NEAR READING (12 MONTH)
- C.S.A.H. 16 FROM T.H. MN91, NORTHEAST OF LISMORE, TO T.H. MN266 IN WILMONT (12 MONTH)

Dated this 31st day of December, 2003

Carol Molnau  
Lt. Governor/Commissioner

## Official Notices

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

## Minnesota State Agricultural Society (STATE FAIR)

### Annual Meeting in January 2004

MINNESOTA STATE FAIRGROUNDS – The 145th annual meeting of the Minnesota State Agricultural Society, governing body of the Minnesota State Fair, will be held January 16, 17 and 18 at the Radisson South Hotel in Bloomington. The society's general business session is scheduled for 8 a.m. Sunday, Jan. 18, followed by a meeting of the society's board of managers.

Complete programs of all scheduled events will be available at the hotel.

## Emergency Medical Services Regulatory Board

### Notice of Completed Application: In the Matter of the License Application of the Dodge Center Ambulance Service, Dodge Center, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from the **Dodge Center Ambulance Service, Dodge Center, Minnesota**, for a new license, part-time advanced ambulance.

**NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes* section 144E.11, subdivision 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by February 12, 2004, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to: Mary Hedges, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* section 144E.11, subdivision 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(c), (e).

Dated: 30 December 2003

Mary F. Hedges, Executive Director

# Official Notices

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## Minnesota State Law Library

### Notice of County Law Library Filing Fees

Pursuant to *Minnesota Statutes* 134A.09 and 134A.10, the following law library fees are in effect as of January 1, 2004. Civil fees include probate matters except as noted. Criminal conviction includes felonies, gross misdemeanors, and misdemeanors except as noted.

<u>COUNTY</u>	<u>CIVIL</u>	<u>CONCILIATION</u>	<u>CRIMINAL CONVICTION</u>	<u>PETTY MISDEMEANOR</u>
Hennepin	\$12.00	\$5.00	\$3.00	\$3.00**

\*\*Nothing on parking tickets.

## Minnesota State Retirement System

### Board of Directors, Regular Meeting

The Board of Directors of the Minnesota State Retirement System (MSRS) is scheduled to meet on Thursday, January 15, 2004, at 9:00 a.m. in the Retirement Systems of Minnesota Building, 60 Empire Drive, Suite 117, Saint Paul, Minnesota.

## Minnesota Pollution Control Agency

### Notice of List of Impaired Waters for Stream Segments and Lakes Which Have Impaired Uses

In accordance with the requirements of Section 303(d) of the Federal Clean Water Act (CWA), the Minnesota Pollution Control Agency (MPCA) is today publishing its Year 2004 draft list of stream segments and lakes which have impaired designated uses and for which the MPCA proposes to complete total maximum daily load (TMDL) reports. TMDLs define the maximum amount of each pollutant that can be released and assimilated in the receiving water from point and nonpoint sources and allow water quality standards to be met in the receiving water. Each TMDL is pollutant-specific.

The CWA 303d list of impaired waters contains stream reaches and lakes that are not fully supporting designated uses, based on numeric or narrative water quality standards exceedences, for which a TMDL report is required. The MPCA is required to list, prioritize, and attach a schedule which estimates starting dates and completion dates for each TMDL for each affected reach or lake. Schedules are estimated because pollutants vary in complexity and schedules must be consistent with Basin Planning development.

Minnesota's proposed Year 2004 list of impaired waters and accompanying draft maps are located at the MPCA **web site** at <http://www.pca.state.mn.us/water/tmdl.html#tmdl>. If you do not have access to the web, please contact the List Coordinator below and a paper copy of the list will be mailed to you. The draft 2004 List includes 211 new TMDLs, among which are listings for excess nutrients in lakes, excess turbidity, and impaired biota.

This notice is being published today for the purpose of providing opportunity for public notice and comment for the **NEW** reaches and lakes being proposed in the 2004 draft TMDL List and other changes to the US EPA approved 2002 TMDL List. The comment period will end 30 days after issuance of this public notice. Comments should be directed to the following address:

Howard D. Markus, Ph.D., P.E.  
TMDL List Coordinator  
Environmental Outcomes Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4196

If you have further questions, you may contact Dr. Markus at (651) 296-7295, (800) 657-3864 or [howard.markus@pca.state.mn.us](mailto:howard.markus@pca.state.mn.us).

## 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](http://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.

## Administration Department

### Take Advantage of the *State Register*

Take advantage of information on state contracts and grants. Have the *State Register* E-MAILED to you the afternoon it is published, on Friday. Be a step ahead of others, and be ready with your phone calls on Monday morning.

Also, receive TWO EXTRAS free-of-charge, available only to ON-LINE Subscriptions:

#1 - The CURRENT LOG -- of contracts, grants and loans -- as well as non-state contracts.

#2 - The INDEX, a growing list of the current issue's articles to quickly locate the information you need.

Each also has LINKS to the issue in which the article appeared, for fast reference.

Subscriptions are \$180 for an entire year (less than \$3.50 per issue), that's \$80 LESS than the cover price. Service, speed, accuracy, and on-time delivery with the *State Register* ON-LINE. FAX your credit card information: (651) 297-8260; or send in your check or credit card information to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Or, order today by calling (651) 297-8774 and charge your credit card, or **E-mail:** [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us) for more information.

## Colleges and Universities, Minnesota State (MnSCU)

### Notice of Request for Proposals for Administration of Student Payment Service Plan

This request for proposal seeks to acquire the services of a vendor to administer a student payment plan. The plan would allow students to pay tuition and fees at regular intervals and amounts over a period of time, specified by the institution, to the vendor. The vendor would then remit those payments to the institution within a specified period of time of collection.

The RFP can be obtained from:

James Schneider  
Accounting Supervisor, Principal  
ETC Building, Suite 300  
1450 Energy Park Drive  
St. Paul, MN 55108  
**Phone:** (651) 632-5010  
**Fax:** (651) 649-5779  
**Email:** [jim.schneider@so.mnscu.edu](mailto:jim.schneider@so.mnscu.edu)

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

## Colleges and Universities, Minnesota State (MnSCU)

### Dakota County Technical College

#### Request for Proposals for Two Used Mini Buses

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive proposals for two (2) used mini buses. Proposal specifications will be available January 12, 2004 from the Dakota County Technical College Purchasing Department, 1300 – 145th St. East, Rosemount, MN 55068. **Phone** (651) 423-8236. Sealed proposals must be received by Pat Adams at Dakota County Technical College, 1300 – 145th St. East, Rosemount, MN 55068 by 2:00 p.m., Monday, January 26, 2004.

Dakota County Technical College reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in proposals received.

# State Contracts

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## Minnesota Department of Corrections

### Grants & Subsidies Unit

#### Request for Proposals for Electronic Monitoring

NOTICE IS HEREBY GIVEN that proposals are being solicited to select a vendor to provide electronic monitoring services for offenders who are under the authority of the commissioner of corrections. The contract award will not exceed \$300,000 per year and will be for the twenty-four (24) month period from July 1, 2004, through June 30, 2006.

**The deadline for submission of completed proposals is March 19, 2004.**

To request a copy of a complete Request for Proposals, contact:

Lynda Davis  
Minnesota Department of Corrections  
Community Services Division  
Grants & Subsidies Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
**Telephone** (651) 643-2533, TTY (651) 643-3589  
**E-mail:** [ldavis@co.doc.state.mn.us](mailto:ldavis@co.doc.state.mn.us)

This RFP can be accessed on the Department of Corrections **website** at <http://www.doc.state.mn.us/publications/requestforproposals.htm>.

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Education

#### Notice of Request for Proposals for Evaluation of the Teacher Quality Enhancement Grant Project

The Minnesota Department of Education is soliciting proposals from qualified vendors to design, develop and conduct a three-year evaluation to assess and evaluate the implementation and outcomes of a federal Teacher Quality Enhancement Grant.

The Minnesota Department of Education (MDE) has recently been awarded a federal grant by the United States Department of Education under the Teacher Quality Enhancement Grant Program. This grant has a term of three years. The scope of work covered under this request for proposals is limited to the requirement of evaluating the implementation of the grant projects, preparing annual reports and sharing the information with various stakeholders. The project requires experience in: evaluating education programs; a wide range of quantitative and qualitative methods and analysis models; collecting data and summarizing results achieved; and communicating the results of the evaluation plan to various stakeholders. It is anticipated that the cost of this project should not exceed \$120,000. The project is anticipated to begin March 3, 2004 and go through March 2, 2007. For a complete copy of this Request for Proposal please contact:

MaryLynne McAlonie  
Minnesota Department of Education  
Office of the Commissioner  
1500 Highway 36 West – Office C 27  
Roseville, MN 55113-4266  
**Phone:** (651) 582-8824  
**Email:** [marylynne.mcalonie@state.mn.us](mailto:marylynne.mcalonie@state.mn.us)

Proposals are due **no later than 3:00 p.m. (CST) on February 2, 2004. Late proposals will not be considered.** Fax or E-mail proposals will **NOT** be considered.

This request does not obligate the State to award a contract or complete the work contemplated in this notice. The State reserves the right to cancel this solicitation if it considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Finance

#### Notice of Request for Proposals for Unemployment Insurance Clearing Depository and Lockbox Services

The Minnesota Department of Finance and the Department of Employment and Economic Development (DEED) are seeking proposals from financial institutions to establish a banking relationship for the purpose of expediting, processing and collection of var-

ious items for the DEED Unemployment Insurance Clearing Lockbox account.

To receive a complete Request for Proposal and background information, please call or write:

Susan E. Gurrola  
Treasury Division  
658 Cedar Street – 4th Floor  
St. Paul, MN 55155  
(651) 296-8373  
**Email:** [sue.gurrola@state.mn.us](mailto:sue.gurrola@state.mn.us)

**NOTE:** Details concerning submission requirements, including due dates are included in the Request for Proposal. No other personnel are authorized to discuss the project with responder before the submittal of the proposal.

Deadline for submission of the Proposal is no later than **1:00 p.m., Wednesday, January 28, 2004.**

## 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](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 editor for further details.

## Hennepin County Designer Selection Committee

### Advertisement for Services to Provide Design and Construction Administration Services

Hennepin County will be selecting architectural/engineering firms to provide design and construction administration services for the following projects:

1. Osseo Maintenance Station Expansion
2. Medical Center: Crisis Intervention Center Expansion
3. Adult Corrections Facility: Work Release Building Renovation
4. Century Plaza Architectural and Mechanical Improvements
5. Government Center Vertical Mail Delivery System Replacement

To receive a Request for Proposal, firms should send a one-page letter of interest (no attachments), to the Hennepin County Designer Selection Committee, C/O Allen Rezac, Property Services A-2208 Government Center, Minneapolis, MN 55487. All letters should be received by 12:00 noon on Thursday, January 29, 2004. Firms are not to contact other Hennepin County staff for project information.

## Metropolitan Council - Metro Transit

### Armored Car Service for Hiawatha Light Rail Transit System Ticket Vending Machines

#### Procurement No. 6544

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for Armored Car Service for the Ticket Vending Machines used by the Hiawatha Light Rail Transit System. A contractor is required to service Ticket Vending Machines (TVM) with ticket stock and deliver the revenue vaults and hoppers to the Metro Transit Central Counting Department. The contractor will have 48 hours, 24 hours, or 3 hours (depending on the service required) to service one or more TVMs located at the 17 stations along the Hiawatha Light Rail Transit System. Servicing of the TVMs will be requested by Metro Transit on an as-needed basis.

The contract term is April 3, 2004 through March 31, 2006, with an option for the Council to extend the terms and conditions for up to an additional one year.

Sealed bids are due by 2:00 p.m. on January 29, 2004. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

## Metropolitan Council - Metro Transit

### Disposable Hand Towels

#### Procurement No. 6551

Metro Transit, a division of the Metropolitan Council, is soliciting bids for a two-year supply of Disposable Hand Towels. These paper towels are used by maintenance personnel throughout the agency.

This procurement will use a reverse-auction process. Paper bids are due by 2:00 p.m. on January 26, 2004. Responsive bidders will invite to participate in the reverse auction, to take place at 1:00 p.m. on January 28, 2004.

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## Non-State Contracts & Grants

Bids must be submitted in accordance with the Invitation for Bids document available from:

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

### Mower County Human Services Department

#### Request for Proposals to Operate a Transit System

##### NOTICE TO BIDDERS

Sealed proposals for the project listed below will be received at the Mower County Human Services Department, 1005 North Main Street, Austin, MN 55912, until 1:00 P. M., February 9, 2004, at which time they will be opened publicly and read. Proposals may be considered by the Mower County Board of Commissioners at their regular meeting on February 10, 2004. The Board reserves the right to review the proposals at a later date if necessary to allow for further consideration prior to taking action.

##### REQUEST FOR PROPOSALS TO OPERATE TRANSIT SYSTEM

The Mower County Board of Commissioners hereby makes a Request For Proposals (RFP) from parties interested in entering into a contract with the County to operate Mower County Transit (MCT), for the period from March 1, 2004 through December 31, 2004.

MCT is a countywide, state subsidized public transportation system, which utilizes small buses and volunteer drivers to transport passengers. The annual budget is approximately \$512,000. However, this RFP is not intended to obligate the County to incur an expense equal to the foregoing amount.

The RFP documents and forms may be obtained, at no cost, at the office of the Mower County Highway Department, 1105 8th Avenue NE, Austin, MN 55912. The contact person for all communication involving the RFP is:

Michal J. Hanson, Mower County Engineer  
1105 8th Avenue NE  
Austin, MN 55912  
(507) 437-7718

Other County personnel are not allowed to discuss the RFP with anyone, including potential responders, before the RFP submission deadline.

No proposal guaranty will be required.

Pursuant to Federal and State requirements, a Disadvantaged Business Enterprises (DBE) goal has been assigned for work under this RFP. The contract awarded under this RFP will include the following language, which the contractor must agree to:

“DISADVANTAGED BUSINESS ENTERPRISES CERTIFICATION: Our firm will meet a minimum goal of 1.2% of this contract to Disadvantaged Business Enterprises. A bidder who fails to indicate a specific goal above must fulfill the goals indicated in this proposal.”

The County Board of Commissioners reserves the right to reject any and all proposals, to waive defects therein, and to award to other than the lowest bidder if it is in the best interest of the County.

County of Mower, Minnesota  
Craig Oscarson  
County Coordinator

### University of Minnesota

#### Advertisement for Bids for Asbestos/Mold Abatement - Student Health Services Building Project No. 440-03-1062 - St. Paul Campus, St. Paul, Minnesota

Work performed under this contract will include the removal of asbestos-containing materials, mold contaminated materials, other hazardous materials and general demolition prior to renovation of the Building.

The Work shall be completed within 48 days calendar days after start of work.

Pre-bid access to the work site is limited to specific times and dates. A **mandatory** pre-bid tour of the work site is scheduled for 9:30 a.m., January 21, 2004. Interested parties are to meet in the West Door of the Student Health Services Building located on University of Minnesota, St. Paul Campus, St. Paul, Minnesota. Each individual wishing to participate in the pre-bid tour shall don a HEPA filtered respirator and a tyvek suit. Contact Sean Gabor, e-mail [gabors@facm.umn.edu](mailto:gabors@facm.umn.edu) phone (612) 625-7547 AND Chip

# Non-State Contracts & Grants

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Foster, e-mail [fosterc@facm.umn.edu](mailto:fosterc@facm.umn.edu) phone (612) 626-8757 if you are interested in attending.

Last day for questions is Noon January 30, 2004. Please submit questions in writing to Chip Foster at [fosterc@facm.umn.edu](mailto:fosterc@facm.umn.edu) or Sean Gabor at [gabors@facm.umn.edu](mailto:gabors@facm.umn.edu).

Prime contract bidding will close 2:00 p.m., local time, Thursday, February 5, 2004.

Sealed bids will be received by the Regents of the University of Minnesota at Facilities Management Purchasing Services, 400 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455, until the stated times, when they will be publicly opened and read aloud.

Bidding Documents will be distributed at the mandatory pre-bid tour.

Direct communications regarding this project to the Facilities Management-Hazardous Material Program Manager, **Sean Gabor**, e-mail: [gabors@facm.umn.edu](mailto:gabors@facm.umn.edu), phone **(612) 625-7547**.

Each prime and subcontract bid shall be accompanied by a bid security of 5% of the maximum amount of the bid in the form of a Surety Bond, certified check, cashier's check.

The successful prime contract bidder shall furnish Performance and Payment Bonds in the full amount of the contract.

The University reserves the right to reject any and all bids, accept any bid, waive informalities in bids submitted, and waive minor discrepancies in bidding procedures, as it deems to be in its best interest.

The University of Minnesota complies with Equal Employment Opportunity and Affirmative Action Policies for contractors and suppliers.

Bid result information may be obtained via fax by faxing a request to (612) 624-5796.

REGENTS OF THE UNIVERSITY OF MINNESOTA  
Chip Foster  
Facilities Management Principal Buyer

## University of Minnesota

### Request for Proposal for Design and Construction of the Jackson Hall Stairwell Enclosure at the University's East Bank Campus

#### I. NOTICE OF REQUEST FOR PROPOSAL

Proposals are being requested by the University of Minnesota, Capital Planning & Project Management (CPPM) Department for design and construction of the Jackson Hall Stairwell Enclosure on the University of Minnesota's Twin Cities Minneapolis East Bank Campus. The purpose of this Request for Proposal (RFP) is to evaluate and select a vendor to provide Design/Build Contractor services. Services to be provided include pre-construction phase and construction phase services and are subject to a Guaranteed Maximum Price (GMP).

#### II. PROJECT SUMMARY

Due to the demolition of an adjacent/attached building (Lyons Laboratory), the east end of the north wing of Jackson hall has been exposed and is unfinished. This project will include; the addition of a new stairwell enclosure serving all six floors of Jackson Hall, exterior wall repairs, demolition of an existing temporary exterior stair and necessary interior repairs.

The stairwell enclosure addition will be of brick and precast stone on concrete masonry construction. The roof framing will be steel deck supported by steel joists. The floor construction is to be a concrete slab on steel deck supported by steel beams and columns. The new stairwell enclosure will not rely on the existing building to support gravity loads. The enclosure walls will be supported by spread footings. The building skin will consist of face brick and precast stone on 8" CMU walls supported at each floor.

The stairwell enclosure will provide both an exit and entrance to each floor with a building exit and entrance door at grade. The exterior will be designed to match the character of the existing building using matching brick and precast stone that simulates the existing cut-stonework. The exterior will be repaired to provide a restored and finished appearance.

Once the new stairwell enclosure is ready for use, the existing temporary emergency stair and exit doors will be removed. Replacement windows will be installed at the temporary emergency doors being removed and associated repair work will be done on the exterior wall.

The University engaged the firm of Miller Dunwiddie Architects to define the necessary program, prepare the project schematic drawings/documents, and to serve as the University's design and construction observation consultant throughout the project.

The successful Design/Builder will be expected to finish the design based upon the University's Design Guidelines and Schematic Design information contained within the RFP, University Standards and Procedures for Construction, and other information available on the University's **website** at: <http://www.facm.umn.edu/facm/construction.htm>. As a requirement preceding the establishment

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## Non-State Contracts & Grants

of a Part 1 GMP, the Design/Builder must complete design development documents for approval by the University.

Jackson Hall has been officially determined as eligible for listing on the National Register of Historical Places as a stand-alone nomination. Therefore, all new construction and rehabilitation work must be: consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings; and must be consistent with the original building design intent. Design services must include architectural, mechanical, fire protection, electrical, fire alarm, building security, telecommunications, structural, landscaping and civil work as necessary to complete design development (Agreement Part I), and continuing through construction documents and project completion (Agreement Part II). The project also includes, but is not limited to, project scheduling; cost estimating; complete construction services, including testing and balancing services; complete and ongoing construction administration for the duration of the project; participation in the commissioning of the project; and post occupancy review and project closeout, including as-built drawings in electronic format. The successful proposer (Design/Build Contractor) will be required to participate and cooperate in historic preservation compliance reviews conducted through the University Architect's Office with the State Historic Preservation Office.

### III. CONTACT FOR RFP INQUIRIES:

E-mail your request for the full RFP, which will be sent free of charge to interested vendors to:

#### **PURCHASING SERVICES:**

Chip Foster  
Facilities Management  
400 Donhowe Building  
319 15th Ave. SE  
Minneapolis, MN 55455-1082  
**Phone:** (612) 626-8757  
**FAX:** (612) 624-5796  
**E-Mail:** [fosterc@facm.umn.edu](mailto:fosterc@facm.umn.edu)

### IV. TENTATIVE SCHEDULE OF EVENTS

Be advised that these dates are subject to change, as University officials deem necessary.

<b>EVENT:</b>	<b>DATE:</b>
<i>RFP Available for Distribution</i>	<b>01/13/2004</b>
<i>Mandatory Pre-Proposal Meeting/Site Visit, at 1 PM (on site)</i>	<b>01/22/2004</b>
<i>Deadline for RFP Questions Faxed to Purchasing Services</i>	<b>02/06/2004</b>
<i>RFP Responses Due, by 1:00 PM, CDT</i>	<b>02/11/2004</b>
<i>Notification of Short-Listed Finalists</i>	<b>02/18/2004</b>
<i>Interviews of Short-Listed Finalists</i>	<b>02/25/2004</b>
<i>Anticipated award notification to selected Finalist</i>	<b>03/03/2004</b>
<i>Contract negotiations, Part 1 of AIA A191</i>	<b>03/10/2004</b>
<i>Anticipated Award of Contract.</i>	<b>03/11/2004</b>

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

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

