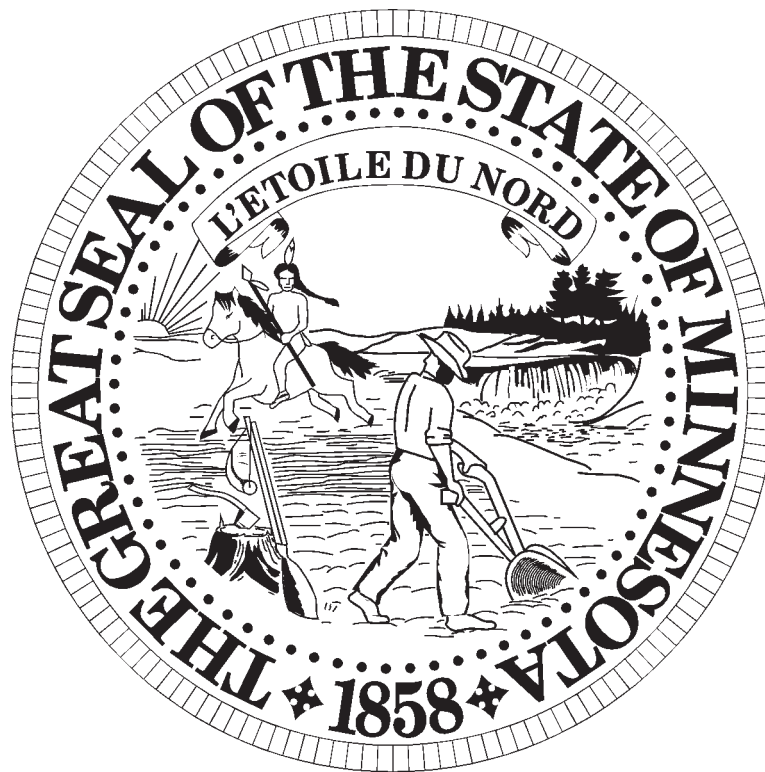


State of Minnesota

State Register



Rules and Official Notices Edition

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State Register

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
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- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Gambling Control Board

Adopted Permanent Rules Relating to Lawful Gambling

The rules proposed and published at *State Register*, Volume 28, Number 52, pages 1620-1622, June 28, 2004 (28 SR 1620), are adopted with the following modifications:

7861.0020 LICENSED ORGANIZATION.

Subp. 8. **Renewals.** The following items apply to license renewals:

A. To renew a license at the end of a term, an organization must submit to the board a complete renewal application on a form prescribed by the board at least 60 days before the expiration of the organization's existing license. A renewal application is not complete until it contains the information required by subparts 3 and 4, and the license fee or waiver required by *Minnesota Statutes*, section 349.16, subdivision 6.

7861.0030 GAMBLING MANAGER.

Subp. 12. **Assistant gambling managers.** The following items apply to assistant gambling managers:

A. An assistant gambling manager is a person who performs any of the following duties:

- (1) six or more of the functional responsibilities as defined in part 7861.0120, subpart 1, item E E;
- (2) hires hiring, ~~disciplines disciplining~~, or fires firing gambling employees;

7861.0040 PREMISES PERMITS.

Subp. 3. **Contents of premises permit application.** A premises permit application must include:

F. the address in Minnesota of any storage space for gambling equipment and records, if different than the ~~leased~~ permitted premises;

Subp. 4. **Attachments to application.** The following must be attached to the premises permit application:

A. For premises not owned by the organization, a copy of the lease must be submitted. A lease must be on a form prescribed by the board and must contain at a minimum the following information:

- (3) the name, ~~street~~ address, and telephone number of the leased premises;
- (7) an irrevocable consent from the lessor that:

(e) the lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule;

(h) in addition to the requirements of subitem ~~(9)~~ (6), the lessor shall maintain a record of all money received from the organization, and make the record available to the board and its agents, the commissioners of revenue and public safety and their agents upon demand. The record shall be maintained for a period of 3-1/2 years;

7861.0050 ILLEGAL GAMBLING.

Subp. 3. **Discipline against premises permit.** The suspension or revocation of a premises permit is a contested case under *Minnesota Statutes*, chapter 14. For violations of subpart 1, the board must suspend or revoke an organization's premises permit as follows:

A. for the first violation of subpart 1 at a site, the board must suspend each premises permit for the site for a period of up to 90 days from the date of the board's final resolution or determination on the violation. No organization may pay rent for the site during the term of the suspension. When suspending an organization's premises permit pursuant to this item, the board must consider the following factors:

- (5) the nature or severity of the violation;

7861.0060 CONDUCT OF LAWFUL GAMBLING.

Subp. 2. **Restrictions for gambling on leased premises.** The following items are restrictions for gambling on leased premises. These restrictions also apply to an organization that leases space from another licensed organization for the conduct of lawful gambling.

Adopted Rules

C. The amount of rent an organization may pay:

(1) for bingo and all other gambling activities which occur during that bingo occasion; ~~may not exceed~~; \$200 for leased premises of not more than 6,000 square feet, \$300 for leased premises of not more than 12,000 square feet, \$400 for leased premises of more than 12,000 square feet, and \$25 per occasion for bar bingo, and as provided in *Minnesota Statutes*, section 349.17, subdivision 7; and

(2) ~~an organization~~ may not ~~be~~ directly or indirectly ~~supplement rent~~ supplemented above the amounts provided in this subpart or as provided in *Minnesota Statutes*, section 349.18.

7861.0070 BINGO.

Subp. 2. **Bingo equipment to be used.** The conduct of bingo must include the following items:

B. A set of 75 bingo balls bearing the numbers 1 to 75 and the letters B, I, N, G, O;

Subp. 6a. **Bingo prizes.** Except for the jackpot prize won for linked bingo games, prizes for games won at a bingo occasion or session must be awarded at that bingo occasion or session according to *Minnesota Statutes*, section 349.211, and the following procedures.

J. A prize receipt form must be completed for a winning bingo prize valued at \$100 or more. A prize receipt form must also be completed for all bingo games where the value of the prize is determined by the selling price of the bingo paper sheet packet or bingo paper package, and for all bingo games where players have the opportunity to win various, alternative prize levels. The prize receipt form must include, at a minimum, the following information:

(4) the signature, in ink, of the ~~organization gambling~~ employee or volunteer making the payment;

Subp. 7. **General bingo records and reports.** The following records and reports must be completed in ink by the organization, and maintained for a period of 3-1/2 years following the end of the month in which the occasion was conducted and reported to the commissioner of revenue. Any changes or amendments made to bingo records and reports must bear the initials, in ink, of the person making the changes or amendments. The records and reports must be made available to the board, the commissioner of revenue, the commissioner of public safety, or their agents upon demand:

C. A gross receipt and discrepancy report, in ~~accordance~~ compliance with *Minnesota Statutes*, section 349.19, subdivision 4, must be prepared for each bingo occasion. The report must be prepared on a form prescribed by the board:

Subp. 8. **Breakopen bingo.** In addition to complying with subparts 1 to 7, breakopen bingo is a bingo game that must also comply with the following:

G. An organization may allow players to trade in breakopen bingo paper sheets. The conducting organization must account for the trade-in of breakopen bingo paper sheets in the following manner:

(2) All breakopen bingo paper sheets in the original set and the trade-in set are of equal value and must be sold to players for the same price as other breakopen bingo paper sheets in the original set. All breakopen bingo paper sheets in the trade-in set are of equal value and must be sold to players for the same price as other breakopen bingo paper sheets in the trade-in set.

7861.0080 PULL-TABS.

Subpart 1. **Restrictions.** The following items are restrictions on pull-tabs:

A. A gambling employee or gambling volunteer of an organization may not purchase pull-tabs at the site of the employee's or gambling volunteer's place of employment unless:

(2) the gambling employee or gambling volunteer is not involved in the sale of pull-tabs at the site of the employee's or gambling volunteer's place of employment. For purposes of this part, the sale of pull-tabs includes, but is not limited to, the sale of pull-tabs to players, auditing pull-tab games, redeeming winning pull-tabs, performing inventory of pulltab games, and making deposits of receipts from pull-tab games.

Subp. 4a. **Use of cash registers.** An organization using a cash register in the conduct of pull-tabs shall use a cash register that meets the technical standards established in item A, follows the procedures in item B, and performs a monthly reconciliation pursuant to the requirements in item C.

B. Procedures for use of a cash register are as follows:

(5) When selling a pull-tab through the use of a cash register, the ~~organization gambling~~ employee or volunteer shall:

(6) When redeeming a winning pull-tab through the use of a cash register, the ~~organization gambling~~ employee or volunteer shall:

7861.0090 TIPBOARDS.

Subp. 4. **Records.**

C. The organization shall complete a prize receipt, in a format prescribed by the board, for any tipboard prize valued at \$50 or more. A prize receipt must include, at a minimum, the following information:

(7) the winner's complete name and address, and driver's license number, including state of license registration. If the winner does not have a driver's license, the winner's complete name and address must be obtained from another form of picture identification belonging to the winner.

Adopted Rules

The receipt must contain the signature, in ink, of the ~~organization~~ gambling employee or volunteer paying the winner and the signature, in ink, of the winner.

7861.0100 PADDLEWHEELS.

Subp. 11. **Conduct of paddlewheels with a paddlewheel table.** The following items apply to the conduct of paddlewheels with a paddlewheel table:

U. To close a paddlewheel, a ~~gambling employee~~ paddlewheel operator shall notify the players that their paddlewheel chips must be redeemed through the cash bank cashier. A ~~gambling employee~~ paddlewheel operator must collect all outstanding identification cards from the players.

Subp. 12. **Operating procedures and internal controls.** The following operating procedures and internal controls apply to the conduct of paddlewheels with a paddlewheel table:

G. The paddlewheel operator must prepare a credit slip whenever paddlewheel chips are returned from the paddlewheel table to the chip bank. The credit slip must be at least a two-part carbonless form. The same information must be recorded on the original and duplicate credit slip as on a fill slip. The original copy of the credit slip must be deposited in the paddlewheel table drop box by the paddlewheel operator. The duplicate copy of the credit slip must be retained by the cashier.

After play has commenced, a money plunger must remain in the paddlewheel table drop box slot while the drop box is attached to the table. The money plunger must be removed when coin, currency, or forms are being inserted into the drop box. All cash received by the paddlewheel operator for paddlewheel chips must be placed immediately into the drop box. The contents of the drop box shall not be accessed by any person prior to the drop box cash count.

During the time when a paddlewheel is in play, the key to at least one lock securing the contents of the paddlewheel drop box must be kept and controlled by an ~~organization~~ employee or volunteer of the organization who is not acting as a paddlewheel operator or paddlewheel chip and cash bank cashier.

At the end of the activity, the paddlewheel operator must remove the unopened drop box from the paddlewheel table and secure it.

7861.0110 RAFFLES.

Subp. 3. **Raffle ticket requirements.** The following items are raffle ticket requirements:

B. A raffle log must be maintained, which at a minimum includes the following:

(10) the actual gross ~~proceeds~~ receipts reported by each person to whom tickets were given to be sold;

Subp. 6. **Records.** An organization shall keep the following records for each raffle conducted for a period of 3-1/2 years from the end of the month on which the raffle was reported as played on the tax return prescribed by the commissioner of revenue:

D. the raffle log ~~showing to whom the tickets were given to be sold;~~

7861.0120 ORGANIZATION OPERATIONS, ACCOUNTS, AND REPORTS.

Subp. 5. **Expenditures.** The following items apply to expenditures of gambling funds:

C. In addition to lawful purpose as defined in *Minnesota Statutes*, section 349.12, subdivision 25, "lawful purpose" means any of the following:

(3) A contribution to an individual or family suffering from poverty, homelessness, or physical or mental disability, provided the contribution is reasonably calculated to relieve the effects of that poverty, homelessness, or disability, or a contribution to a nonprofit corporation that exists exclusively for these relief purposes. If the contribution is made to a nonprofit ~~organization~~ corporation, the entire amount of the contribution must be used to relieve one or more of these effects. Disability for purposes of this subitem includes, but is not limited to, physical or mental difficulties in accomplishing daily tasks and activities such as personal care, meal preparation, cleaning, transportation, or athletic activities.

(5) A contribution to or an expenditure on a public or private nonprofit educational institution registered with or accredited in Minnesota or any other state. The contribution, if made to a public educational institution, must be documented ~~and the record of the contribution maintained~~ on a form prescribed by the board and maintained by the organization showing the request from or acknowledgment of the institution to expend or receive gambling funds.

(7) A contribution to an organization or governmental entity, or an expenditure by an organization, for the cost of activities recognizing humanitarian or military service to the United States, the state of Minnesota, or a community provided:

(b) the contribution, if made to a unit of government, must be documented on a form prescribed by the board and maintained by the organization showing the request from or acknowledgment of the unit of government to expend or receive gambling funds ~~and maintained by the organization~~; and

7861.0130 EXCLUDED BINGO AND RAFFLES.

Subpart 1. **Registration.** An organization that conducts excluded bingo or raffles as allowed by *Minnesota Statutes*, section 349.166,

Adopted Rules

must register with the board before the conduct of the lawful gambling. An organization conducting bingo as allowed by *Minnesota Statutes*, section 349.166, subdivision 1, paragraph (a), clause (1) or (2), must obtain prior approval of the local governing body of the city or county in which the bingo will be conducted. The registration must be on a form prescribed by the board, which must include the following information:

- A. the name ~~and~~, address, and county of the organization;

7863.0010 DISTRIBUTORS; DISTRIBUTOR SALESPERSONS.

Subp. 4. **Restrictions.** The following restrictions apply to the licensees' activities within Minnesota, or while conducting business with organizations authorized to conduct lawful gambling in Minnesota. In addition to the prohibitions contained in *Minnesota Statutes*, sections 349.155, subdivision 3; and 349.161, ~~subdivision~~ subdivisions 1 and 5, no distributor, distributor salesperson, or any representative, agent, affiliate, or employee of a distributor may:

Subp. 12. **Issuance and denial.** The following items apply to issuance and denial of a distributor's or distributor salesperson's license.

A. The board shall issue a license to a distributor or distributor salesperson who submits the information required by subparts 6; and 7, and 8; pays the fee required by *Minnesota Statutes*, section 349.161, subdivision 4, and who is eligible to receive a license pursuant to subpart 4, and *Minnesota Statutes*, section 349.161.

Subp. 15. **License renewal.**

A. To renew a license at the end of the term a licensee must submit a complete renewal application on a form prescribed by the board at least 75 days before the expiration of the licensee's existing distributor's or distributor's salesperson's license. A renewal application is not complete until it contains the information required in subparts 6; and 7; and 8; and the fee required by *Minnesota Statutes*, section 349.161, subdivision 4. If no changes have occurred to the information required by subpart 7 after the original application was submitted, the applicant must submit an affidavit to the board, on a form prescribed by the board, stating that no changes in the information attached to the original application have occurred.

7863.0020 DISTRIBUTOR OPERATIONS, ACCOUNTS, AND REPORTS.

Subp. 3a. **Return of gambling equipment.** The following items pertain to the return of gambling equipment not manufactured in ~~accordance~~ compliance with the standards in part 7864.0030, subpart 1.

B. Gambling equipment returned to a distributor from an organization during play or after being removed from play.

(1) Within seven business days of accepting return of gambling equipment from an organization pursuant to part 7861.0060, subpart 8, the distributor shall return the gambling equipment to the manufacturer for a determination as to whether the gambling equipment was manufactured in ~~accordance~~ compliance with the standards in part 7864.0030, subpart 1. After a determination has been made by the manufacturer and the game has been returned to the distributor, the game shall be returned by the distributor to the organization for retention as a played game.

Subp. 4. **Records and reports required.** The following items apply to records and reports of distributors:

C. Pricing reports.

(1) A licensed distributor must submit a pricing report to the board on an annual basis ~~and that~~ must be in a format approved by the board and at a minimum must include:

E. Report of delinquent organization required.

(1) Pursuant to *Minnesota Statutes*, section 349.191, a distributor shall notify the board in writing, by e-mail, or by facsimile if the distributor has not received payment from an organization within 35 days of the invoice date for the sale of gambling equipment. The notification must be received by the board on the 36th day, or the next business day, after the invoice date for the sale of the gambling equipment. The notification must include:

(a) the name, ~~address~~, and license number or exempt number of the organization; and

(3) If a distributor who has notified the board under subitem (1) has not received payment in full from the delinquent organization within 60 days of its initial notification to the board, it must then notify the board of the continued delinquency. The notification must be received by the board on the 61st day, or the next business day, after the distributor's initial notification to the board. Upon receipt of the second notice, the board shall notify all distributors and linked bingo game providers not to sell any gambling equipment to the delinquent organization.

(4) When the delinquency is paid, the distributor must immediately notify the board and the board shall notify all licensed distributors and linked bingo game providers. No distributor or linked bingo game provider may extend credit or sell gambling equipment to an organization in violation of an order under subitem (3) until the board has authorized such credit or sale.

7863.0050 LINKED BINGO GAME PROVIDER LICENSES.

Subp. 2. **Restrictions.** For purposes of this subpart, the following restrictions apply to the licensee's activities in Minnesota, or while

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conducting business with organizations licensed to conduct lawful gambling in Minnesota. In addition to the prohibitions contained in *Minnesota Statutes*, sections 349.155, subdivision 3, and 349.1635, subdivision 4, no linked bingo game provider licensee; person holding a financial or managerial interest in a linked bingo game provider; or agent, affiliate, or employee of a linked bingo game provider ~~may shall~~:

Subp. 3. **Contents of application.** The application must be on a form prescribed by the board and must contain the following information:

A. the complete name of the applicant, including any name that the applicant may be “doing business as,” and the legal nature of the applicant (corporation, ~~firm~~, partnership, limited liability company, or sole proprietorship);

7863.0060 LINKED BINGO GAME PROVIDER OPERATIONS, ACCOUNTS, AND REPORTS.

Subp. 5. **Records and reports required.** The following items apply to records and reports of linked bingo game providers:

C. Report of delinquent organization required.

(1) Pursuant to *Minnesota Statutes*, section 349.191, a linked bingo game provider shall notify the board in writing, by e-mail, or by facsimile, if the linked bingo game provider has not received payment from a licensed organization within 35 days of the invoice date for the sale of linked bingo paper. The notification must be received by the board on the 36th day, or the next business day, after the invoice date for the sale of the linked bingo paper. The notification shall include:

(a) the name, ~~address~~, and license number of the organization; and

(b) the linked bingo game provider’s invoice date, the invoice number, and the total dollar amount of the invoice.

Upon receipt of the notice, the board shall notify all linked bingo game providers and distributors that until further notice from the board, they may only sell ~~linked bingo paper~~ gambling equipment to the delinquent organization on a cash basis. For purposes of this unit, “cash” means a check drawn on the organization’s gambling account.

(3) If a linked bingo game provider who has notified the board under subitem (1) has not received payment in full from the delinquent organization within 60 days of its initial notification to the board, it must then notify the board of the continued delinquency. The notification must be received by the board on the 61st day, or the next business day, after the linked bingo game provider’s initial notification to the board. Upon receipt of the second notice, the board shall notify all linked bingo game providers and distributors not to sell any ~~linked bingo paper~~ gambling equipment to the delinquent organization.

(4) When the delinquency is paid, the linked bingo game provider must immediately notify the board and the board shall notify all linked bingo game providers and distributors. No linked bingo provider or distributor may extend credit or sell ~~linked bingo paper~~ gambling equipment to an organization in violation of such an order under subitem (3) until the board has authorized the credit or sale.

7864.0010 LICENSED MANUFACTURERS.

Subp. 4. **Restrictions.** The following restrictions apply to the licensee’s activities within Minnesota, or while conducting business with distributors authorized to sell lawful gambling equipment in Minnesota. In addition to the restrictions contained in *Minnesota Statutes*, sections 349.155, subdivision 3, and 349.163, no manufacturer, or any representative, agent, affiliate, or employee of a manufacturer may:

A. sell gambling equipment that has the same serial number, which must be a minimum of five and a maximum of eight characters, as another item of gambling equipment with the same form number sold by the manufacturer for use in ~~this state~~ Minnesota for a period of 3-1/2 years;

Subp. 6. **Contents of application.** The application must be on a form prescribed by the board and include the following information:

N. ~~an organizational chart illustrating the management structure of the applicant;~~

~~the signature, in ink, of the chief executive officer; and~~

~~P. Q.~~ additional information to properly identify the applicant and to ensure compliance with *Minnesota Statutes*, sections 349.11 to 349.23, which may be required by the board or director.

Subp. 7. **Attachments to application.** The following items must be included as attachments to manufacturer’s license applications:

D. The manufacturer must submit an organizational chart illustrating the management structure of the applicant.

7864.0030 MANUFACTURER OPERATIONS, ACCOUNTS, AND RECORDS.

Subpart 1. **Standards for manufacture of gambling equipment.**

The following items apply to lawful gambling equipment manufactured for sale in Minnesota:

A. All pull-tab tickets and deals manufactured for sale in Minnesota must conform to the following:

(7) The front of the flare for each pull-tab game must contain the following information:

(g) ~~the following message, printed in letters large enough to be clearly legible: “This pull-tab (or tipboard) game is not legal in Minnesota unless an outline of Minnesota with the letters “MN” inside the outline is imprinted on this sheet, and the serial number imprinted on the bar code at the bottom of this sheet is the same as the serial number on the pull-tab (or tipboard) ticket that you have~~

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purchased.” language contained in *Minnesota Statutes*, section 349.163, subdivision 5, paragraph (e).

B. All tipboards and tipboard tickets manufactured for sale in Minnesota must conform to the following standards:

(11) the front of the tipboard must ~~bear contain~~ the following message, printed in letters large enough to be clearly legible: language in *Minnesota Statutes*, section 349.163, subdivision 5, paragraph (e).

~~“This pull-tab (or tipboard) game is not legal in Minnesota unless an outline of the geographic boundaries of Minnesota with the letters “MN” inside the outline is imprinted on this sheet, and the serial number imprinted on the bar code at the bottom of this sheet is the same as the serial number on the pull-tab (or tipboard) ticket that you have purchased.”~~

E. D. All bingo ball selection devices manufactured to be sold in Minnesota must conform to the following standards:

F. E. All paddlewheels intended for use without a paddlewheel table and manufactured to be sold in Minnesota must conform to the following standards:

(1) each paddlewheel must be a manually operated vertical wheel which operates only with a free spinning bearing system and the natural contact of the ~~paddle pointer~~ with pegs;

G. F. In addition to conforming to the requirements of item F E., paddlewheels manufactured to be sold in Minnesota and that are intended for use with paddlewheel tables and chips must conform to the following standards:

(1) each paddlewheel must be a mechanically-operated vertical wheel which does not utilize any device or mechanism, other than the free spinning bearing system and the natural contact of the ~~paddle pointer~~ with pegs, to aid in the acceleration or breaking of the spin once initiated by the operator’s hand;

H. G. All paddletickets manufactured to be sold in Minnesota must conform to the following standards:

I. H. Pull-tab dispensing devices manufactured to be sold or leased in Minnesota must conform to the following standards:

(10) The pull-tab dispensing device must have a ~~light emitting diode (LED) which displays an illuminated display of~~ the monetary value of currency validated. ~~The LED and~~ must not be capable of displaying advertising messages or graphics.

(14) The pull-tab dispensing device must not have a video display screen, other than any ~~LED’s~~ illuminated display that may be required by this subpart.

(26) The pull-tab dispensing device must have a time and date generator which will record and maintain, at a minimum, the last 25 instances in which the ticket door and cash door to the pull-tab dispensing device was opened. The information recorded on the time and date generator must be able to be displayed on an ~~LED~~ illuminated display.

Subp. 2. **Prior approval of gambling equipment required.** Before the sale, lease, or distribution of any gambling equipment in Minnesota, the manufacturer must submit to the board a sample of such equipment. All gambling equipment submitted for consideration must be received in the board’s office on or before the 15th day of the month in order to ensure consideration at the board’s meeting the following month. The board shall notify the manufacturer in writing no later than five days after a board meeting of the board’s decision on whether the product is approved for sale in Minnesota. Board approval for sale of gambling equipment in Minnesota does not constitute approval of the bar code required by the commissioner of revenue. If the manufacturer changes the percentage ~~payback payout~~ or ticket count for any approved game, or for any game within a family of games, a new game form number must be assigned and the game must be submitted to the board for approval before being offered for sale in Minnesota. Each deal of pull-tabs and tipboards must include an ideal sales and prize payout structure which is designed to result in a profit for the game.

Subp. 4. **Storage of gambling equipment in Minnesota.**

A. A licensed manufacturer may ship gambling equipment directly to a Minnesota storage facility that is:

- (1) owned or leased by the licensed manufacturer; and
- (2) registered, in writing and advance, with the director of alcohol and gambling enforcement.

B. No gambling equipment may be shipped to the manufacturer’s registered storage facility in Minnesota unless the shipment is reported to the commissioner of revenue in the manner prescribed by the commissioner of revenue. **See repealer.**

Subp. 5. **Return of equipment.**

A. Gambling equipment returned during play or after being removed from play:

(1) Within 30 business days of receiving gambling equipment not manufactured in ~~accordance~~ compliance with the standards in subpart 1 from a distributor, the manufacturer shall make a determination as to whether the gambling equipment was manufactured in ~~accordance~~ compliance with the standards. After the manufacturer has made its determination, the gambling equipment must be returned to the distributor, who will return it to the organization to be retained as a played game.

(2) Within 30 business days of making a determination that the gambling equipment was not manufactured in ~~accordance~~ compliance with the standards in subpart 1, the manufacturer shall issue a credit invoice to the distributor. The credit invoice must include the cost of the equipment and any bona fide losses documented by the organization over which the organization had no control or ability to prevent. A copy of the credit invoice must be filed electronically, as required by the commissioner of revenue.

B. Gambling equipment returned prior to being put into play:

(3) If the returned gambling equipment was not manufactured in ~~accordance~~ compliance with the standards in subpart 1, and it cannot be brought into conformance with those standards, it must be destroyed by the manufacturer. The manufacturer must, at the

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board's request, furnish documentation attesting to the destruction of the gambling equipment. If the gambling equipment is destroyed in-house at the manufacturer's facility by the manufacturer, an affidavit attesting to the destruction will be considered proper documentation.

Subp. 6. **Corrective action.** If a manufacturer sells gambling equipment that is not in ~~conformance~~ compliance with the standards in subpart 1, the board may require the manufacturer to take corrective action, which may include a recall of the nonconforming gambling equipment.

E. If the recalled gambling equipment cannot be brought into ~~conformance~~ compliance with the standards in subpart 1, it must be destroyed by the manufacturer. The manufacturer must, at the board's request, furnish documentation attesting to the destruction of the equipment. If the equipment is destroyed in-house by the manufacturer, an affidavit certifying the destruction will be considered proper documentation.

Subp. 7. **Records and reports.** The following items apply to manufacturer records and reports:

A. Pricing reports. Reports must be filed annually in an electronic format prescribed by the board. The report must include the following information for each type of gambling equipment offered for sale or lease by the manufacturer:

(8) adjustments for transportation, discounts, and rebates ~~will~~ may be allowed but must be reported separately on the annual pricing report and are subject to review and approval or disapproval by the director. Transportation costs or handling charges, if any, must be itemized. Discounts must be clearly defined and uniformly applied. Rebates must be based on total dollar volume of purchases during a period of time determined by the manufacturer, uniformly applied, and reported to the board when paid;

C. Returned gambling equipment report.

(1) A manufacturer who accepts returns from a distributor or linked bingo game provider of gambling equipment not manufactured in ~~accordance~~ compliance with the standards in subpart 1, shall file a monthly report with the board. The report must be in a format approved by the board, and include the following information:

7865.0030 FINES.

Subp. 2. **Citation form.** The director may issue to any licensee a proposed fine on a citation form prescribed by the board. The amount of the proposed fine must be determined according to the factors listed in subpart 1. The proposed fine must be paid or appealed to the board within 30 calendar days of the date on which the citation is received. Failure to pay or appeal the proposed fine within 30 calendar days may subject the licensee to further disciplinary action by the board unless the licensee appeals the citation and the proposed fine to the board within the 30-calendar-day period.

7865.0050 VARIANCES TO BOARD RULES.

Subp. 5. **Criteria for granting and denying variance requests.** The board may grant a variance to the application of any of its rules; ~~except those in this chapter~~, only if it finds that all of the following criteria have been met:

REPEALER. *Minnesota Rules*, parts 7861.0010, subparts 2, 19, 29, 37, 40, 41, 42, 45, 46, and 47; 7861.0020, subpart 6; 7861.0030, subparts 3 and 8; 7861.0040, subpart 7; 7861.0100, subparts 3, 6, and 10; 7861.0140, subparts 2 and 3; 7861.0150; 7862.0010, subparts 1, 3, 9, 10, and 11a; 7863.0010, subparts 1, 3, 8, 10, and 13; 7864.0010, subparts 1, 3, 9, and 12; 7864.0030, subpart 4; and 7865.0020, subparts 1a and 3, are repealed.

Department of Transportation

Adopted Permanent Rules Relating to Transportation State Aid

The rules proposed and published at *State Register*, Volume 28, Number 52, pages 1622-1636, June 28, 2004 (28 SR 1622), are adopted with the following modifications:

8820.1400 MAINTENANCE, CONSTRUCTION, AND TURNBACK ACCOUNTS; STATEAID PAYMENTS.

Subp. 6. **Additional advances.** On or about July 1 of each year, the commissioner shall release an additional advance from the respective maintenance accounts listed below:

B. from the municipal account of each county:

(2) 50 percent of the maintenance allotment but only if the county makes the request before January 1 and agrees to file an ~~actual~~ annual maintenance expenditures report by August 1 of the following year; and

8820.9922 GEOMETRIC DESIGN STANDARDS; NEW BRIDGE, BRIDGE REPLACEMENT, OR BRIDGE REHABILITATION PROJECTS AND APPROACH ROADWAYS ON RURAL OR SUBURBAN UNDIVIDED ROADWAYS THAT ARE

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NOT ON THE STATE AID SYSTEM.

New bridge, bridge replacement, or bridge rehabilitation projects and approach roadways on rural or suburban undivided roadways that are not on the stateaid system must meet or exceed the minimum dimensions indicated in the following design chart.

Existing ADT (a)	Lane Width (feet)	Shoulder Width (feet)	Inslope (rise:run)	Recovery Area (feet)	Design Speed (mph)
0-49	11	1	1:3	7	30-60
50-149	11	3	1:4	9	30-60
150-400	12	4	1:4	15(d)	30-60

Engineering judgment may be used to choose a lane-width or shoulder-width dimension other than the widths indicated in the chart for roadways. Factors to consider may be safety, speed, population, land use, benefit/cost analysis, traffic mix, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

(a) For existing ADT greater than 400, part 8820.9920 standards apply.

(b) Applies to slope within recovery area only.

(c) Obstacle-free area (measured from edge of traffic lane). Culverts with less than 30-inch vertical height allowed without protection in the recovery area.

(d) For roadways in suburban areas, the recovery area may be reduced to a width of ten feet for projected ADT under 1,000 and to 20 feet for projected ADT of 1,000 or over. Wherever the legal posted speed limit is 40 miles per hour or less, the recovery area may be reduced to a width of ten feet.

(e) Subject to terrain.

HS 25 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges. HS 18 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges must be equal to the proposed lane plus shoulder widths, but in no case less than the minimum lane width plus four feet, and in no case less than required per *Minnesota Statutes*, section 165.04.

At the discretion of the local governmental agency, Bridge structures of minimum 20-foot clear width may be constructed where existing ADT is less than 50, potential for increasing ADT is low, and the local government agency finds that the bridge width can operate effectively at that width for the expected life of the bridge.

8820.9956 VERTICAL CLEARANCES FOR UNDERPASSES.

Underpass projects must meet or exceed the minimum dimensions indicated in the following design chart.

	Rural-Suburban Design, Vertical Clearance (feet/inches)	Urban Design, Vertical Clearance (feet/inches)
Highway under Roadway Bridge	16-4	14-6
Highway under Railroad Bridge	16-4	14-6
Highway under Pedestrian	17-4	15-6 (a)

Bridge

Highway under Sign Structure	17-4	15-6 <u>15-6</u> (a)
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Railroad under Roadway Bridge (b)	22-0	22-0
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(a) For replacement of skyway structures, the minimum clearance over traveled way is the existing structure clear height.

(b) Variances to the required minimum may be granted by the commissioner of transportation. That approval eliminates the need for a stateaid variance.

Appointments

Minnesota Statutes, Section 15.06, Subd. 5, requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

Department of Administration

Notice of Appointment of Commissioner Dana B. Badgerow

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Dana B. Badgerow to the office of Commissioner of the Minnesota Department of Administration effective October 25, 2004. She succeeds former Commissioner Brian Lamb who was appointed January 6, 2003.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Administration are:

- *Minnesota Statutes*, Chapters 14 and 16B
- *Minnesota Rules* 1200-1399

Commissioner Badgerow resides at 1790 Irving Avenue South, Minneapolis, Minnesota 55403, Hennepin County, Congressional District Five.

She can be reached at the Minnesota Department of Administration, 50 Sherburne Ave., 200 Administration Bldg., St. Paul, MN 55155. Telephone (651) 296-1424. Internet home page: <http://www.state.mn.us/ebranch/admin/>

Minnesota State Lottery

Notice of Appointment of Director Clint Harris

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Clint Harris to the office of Director of the Minnesota State Lottery effective October 11, 2004. He replaces Director George Andersen who was with the Minnesota State Lottery from its beginning.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Labor and Industry are:

- *Minnesota Statutes*, Chapter 349A;
- *Minnesota Rules*, 7856, 7857, 7858

Director Harris resides at 802 North Harrison Avenue, Pierre, South Dakota, Hughes County, Congressional District at-large.

He can be reached at the Minnesota State Lottery, 2645 Long Lake Road, Roseville, MN 55113, (651) 635-8100; **Toll-free:** (888) LOTTERY; **Fax:** (651) 297-7498; **Web site:** www.lottery.state.mn.us; **E-mail:** lottery@winternet.com

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 Department of Commerce

Division of Weights and Measures

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Weights and Measures, *Minnesota Rules*, Chapter 7601

Subject of Rules. The Minnesota Department of Commerce requests comments on its possible amendment of rules governing Weights and Measures. The department is considering rule amendments that will: 1) allow the adoption and use of the 2005 edition of NIST Handbook 44, which is the national uniform code enforced by the Weights and Measures Division, 2) adopt a method for quantifying biodiesel blends, 3) update definitions and terminology in the current rules, 4) allow installation of above ground railway scales, 5) remove one requirement for vehicle and livestock scales, and 6) add rules to regulate the newly privatized LPG meter testing program.

Persons Affected. The amendment to the rules would likely affect placing-in-service agents registered by the department, owners of LPG meters, the petroleum industry at all levels, and all owners or users of commercial weighing and measuring equipment.

Statutory Authority. *Minnesota Statutes*, section 239.06, authorizes the department to adopt rules to carry out the provisions of Chapter 239, which govern weights and measures.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The department contemplates appointing an advisory committee to comment on the possible rules. Anyone interested in serving on the advisory committee should write to or call the agency contact person.

Rules Drafts. The department does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written or oral comments, and requests for more information on these possible rules should be directed to:

Carol Hockert, Division Director
MN Department of Commerce
Weights and Measures Division
2277 Highway 36, Suite 150
Roseville, MN 55113
Telephone: (651) 215-5821
FAX: (651) 639-4014
Email: carol.hockert@state.mn.us
TTY users may call the Department at (651) 639-4017

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: October 15, 2004

Glenn Wilson, Commissioner
Department of Commerce

Minnesota Higher Education Facilities Authority Notice of Public Hearing on Revenue Obligations for Macalester College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Macalester College (the "College"), as owner and operator of the College, at the Authority's office at Suite 450, 380 Jackson Street, Saint Paul, Minnesota on November 9, 2004 at 9:00 a.m.

Under the proposal, the Authority would issue its revenue bonds or other obligations in an original principal amount of up to approximately \$17,250,000 to finance a project (the "Project") generally described as: (a) the refunding of the Authority's outstanding Revenue Bonds, Series Four-C (Macalester College), dated November 1, 1995, which were issued in the original principal amount of \$11,245,000 to provide funds for the renovation and expansion of Rice and Olin Halls into a single science and math facility; and (b) the refunding of the Authority's outstanding Revenue Bonds, Series Four-J (Macalester College), dated May 1, 1997, which were issued in the original principal amount of \$11,000,000 to provide funds for (i) the construction, furnishing and equipping of George Draper Dayton Hall, a residence hall for approximately 113 beds with recreational and instructional space; (ii) acquisition and installation of a boiler, central chiller, heating oil tank and related piping and tunneling; and (iii) partial renovation of Wallace and Bigelow Halls to expand capacity by 30 to 35 beds; all owned and operated by the College and located on the College's campus, the principal street address of which is 1600 Grand Avenue, Saint Paul, Minnesota 55105.

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

Dated October 25, 2004

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

Department of Human Services Authorization List of All Drugs That Have Been Added Requiring Authorization as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added drugs to the current authorization list. The newly added drug codes will require authorization on or after November 1, 2004. As authorized by *Minnesota Statutes*, section 256B.0625 subdivision 25, the following list includes all drugs that have been added requiring authorization as a condition of Minnesota Health Care Programs (MHCP) payment. 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.
- E. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- F. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- G. The health service could be considered cosmetic.

These newly added non preferred drugs will require Authorization for services provided on or after November 1, 2004.

DRUGS Added drugs

Flonase

Official Notices

Minnesota Department of Labor and Industry Labor Standards Unit

REQUEST FOR COMMENTS on Planned Amendment to Rules Governing Prevailing Wage Determinations, *Minnesota Rules, Parts 5200.1000 5200.1120*

Subject of Rules. The Minnesota Department of Labor and Industry, Labor Standards Unit, requests comments on its planned amendments to rules governing Prevailing Wage Determinations. The Department is again considering rule amendments that relate to the master job classifications for which the Department makes prevailing wage determinations, definitions, apprentices, corrections of rate determinations, and possibly the minimum number of hours of work required for a worker to be included in the wage survey process. These amendments would apply primarily to highway and heavy construction, but also would have application to commercial construction. Examples of job classification issues to be considered include, but will not be limited to, combining two or more classifications in the general class of Laborer; creating separate classifications and or rates for pieces of equipment used in highway heavy and commercial construction; creating new classes for or altering the classifications applying to landscaping and seeding; creating new classes for or altering the classifications applying to painting and striping of roads; creating new classes for or altering the classifications applying to warning lights, warning signs and other methods of traffic control supplied to a project during construction; creating new classes for or altering the classifications applying to survey workers and quality testers; and, articulated haulers and offroad trucks. Examples of definitions issues to be considered for inclusion are commercial construction, highway and heavy-construction, and fringe benefits.

Previous Request for Comments. This request is a follow up to a similar request published on July 30, 2001 in the *State Register* at 26 S. R. 107. The rule amendments contemplated in the earlier request were put on hold because the Department's advisory committee on master job classifications took longer than anticipated to appoint and conduct its meetings and because of budget priorities. The comments received in response to the July 2001 Request for Comments have been retained, but the department encourages interested parties to submit new comments on the issues raised. The Department's advisory committee on master job classifications met in February, March, and April of 2002. Transcripts of the meetings are available for review at the Department and photocopies will be supplied at the expense of the requester. The advisory committee meetings were open to the public.

Persons Affected. The amendments under consideration to the rules would likely affect laborers and mechanics engaged in construction, unions whose members are the laborers and mechanics employed in construction, general contractors, construction managers and subcontractors, and the owners of construction projects financed wholly or in part with state funds.

Statutory Authority. *Minnesota Statutes*, sections 171.41 to 177.44 and 175.71 authorize the Department to adopt rules for prevailing wage determinations.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on Monday December 28, 2004. Comments received after that date and before further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules may be considered, but comments should be received by December 27, 2004 in order to be considered in determining what rule amendments to propose.

Rules Drafts. The Department has not yet prepared a draft of the planned rules amendments, but any person interested may request to receive a copy of the draft rules when it has been prepared by reaching the agency contact person listed below. Also, interested persons may check the Department's website at www.doli.state.mn.us/laborlaw.html where draft rules will be available before a Notice of Intent to Adopt is published in the *State Register*.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules or the advisory committee should be directed to:

Erik Oelker, Senior Labor Investigator
Department of Labor and Industry
Labor Standards Unit
443 Lafayette Road
St. Paul, MN 55155
Phone: (651) 2845269
Fax: (651) 2845740

E-mail: erik.oelker@state.mn.us

TTY users may call the department at (651) 2974198

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: October 19, 2004

M. Scott Brener, Commissioner
Department of Labor and Industry

Metropolitan Council Public Hearing Riverview Siphon Improvements Facility Plan

**Riverview Library
1 East George Street, St. Paul, Minnesota
Tuesday, November 30, 2004
7:30 p.m.**

The Metropolitan Council will hold a public hearing on the Riverview Siphon Improvements Facility Plan, MCES Project No. 802500. The Draft Facility Plan for this project, prepared by the Metropolitan Council's Environmental Services Division, outlines recommendations to repair the aging sanitary sewer pipe. The present Riverview Siphon system, located in the City of St. Paul, consists of three siphon barrels (pipes), an inlet structure, and a tailbox structure. Wastewater flow enters the system at the inlet structure located at the Mississippi River bluff approximately 2900 feet south of the river and flows northward through street right-of-way and easement toward the river. The siphon continues beneath the river and discharges flow into the tailbox, located beneath the intersection of Wabasha Street and Kellogg Boulevard.

The primary concerns driving the need for system improvements are:

- Age and condition of the siphon piping and inlet structure
- Capacity – spills have occurred during large rain events
- Odor emission at the inlet structure

The Draft Facility Plan recommends construction of an additional 24-inch barrel between the inlet structure and the river, two inter-connect vaults with piping to isolate each barrel, cured-in-place pipe lining of each barrel, and new flow measurement.

Copies of the Draft Facility Plan are available for review at:

- St. Paul Public Library, 90 West Fourth Street, St. Paul
- Riverview Library, 1 East George Street
- St. Paul City Hall, 15 West Kellogg Blvd., St. Paul
- Metropolitan Council's Data Center, 240 E. Fifth St., St. Paul

All interested persons are encouraged to attend the public hearing on November 30, 2004 and provide comments.

You also may submit comments, which must be **received** by the Metropolitan Council no later than December 10, 2004:

- Send written comments to: Pat Schultz at Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101
- **Fax** comments to: Pat Schultz at (651) 602-1477
- Record comments on: Metropolitan Council **Public Comment Line** at (651) 602-1500
- **E-mail** comments to: data.center@metc.state.mn.us
- Sent **TTY** comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Pat Schultz via mail or fax (see above) or by phone at (651) 602-1096 before November 22, 2004.

This meeting is not sponsored by the Saint Paul Public Library

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.

Minnesota Department of Health Office of Rural Health and Primary Care Minnesota Rural Flex Grant Program - Notice of Grant Availability

The Office of Rural Health and Primary Care, Minnesota Department of Health, is seeking grant applications from qualifying applicants for the Minnesota Rural Flex Grant Program.

Activities that promote regionalization of health care services, improve access to quality health care services, or provide for the development and/or enhancement of rural health networks are eligible under this grant program. This includes establishing community and regional networking partnerships, assessing and implementing health system needs and improvements (such as workforce, diversification, new services, telemedicine systems, establishment of a Rural Health Clinic or Federally Qualified Health Center), strengthening and integrating local EMS systems, establishing projects and partnerships regarding quality improvement initiatives, and community development efforts affecting or in relation to health care (such as implementing Rural Health Works or another economic measurement model).

Eligible applicants are: rural hospitals eligible to convert to Critical Access Hospital licensure, rural hospitals with 50 or fewer beds, rural health networks (applicants must be nonprofit or local government entities), and rural EMS organizations.

Total amount available: \$222,000. The maximum for any grant is \$25,000. Applications are due December 10, 2004. Prospective applicants who have questions or would like a copy of the application guidelines should contact:

Pam Hayes, Office of Rural Health and Primary Care, Minnesota Department of Health

Phone: (651) 282-6304

Email: Pamela.hayes@health.state.mn.us

By mail: P.O. Box 64882, St. Paul, Minnesota 55164-0882

By courier: 85 E. Seventh Place, Suite 220, St. Paul, Minnesota 55101

Applications are also available on the Office of Rural Health and Primary Care web site at:

<http://www.health.state.mn.us/divs/chs/grants.htm>.

Minnesota Housing Finance Agency Request for Proposals for Testing Services AND Other Related Enforcement Activities

Summary:

The Fair Housing Implementation Council (FHIC) seeks proposals to conduct testing services and other related enforcement activities to facilitate the enforcement of fair housing complaints being investigated by organizations in the Twin Cities metropolitan area engaged in fair housing enforcement activities.

Background:

Jurisdictions that receive HUD funding are required to identify and analyze impediments to fair housing and address those impediments. The services sought in this request are intended to implement actions the Twin Cities metropolitan entitlement jurisdictions have planned to address impediments to fair housing in the Twin Cities metropolitan area, identified in the 2001 *Regional Analysis of Impediments to Fair Housing*. There is a need for testing services and related enforcement activities in all segments and fields of housing in the metropolitan area. There appears to be a particular need to build and strengthen complaint-based testing capacity in the metro area.

Grant amount: \$65,173.00

Scope of work:

- Provide complaint-based testing services and related enforcement activities, including investigation and assistance in prosecuting administrative complaints and court actions, in addressing the needs of organizations in the metro area providing fair housing enforcement services to persons complaining of discrimination in housing.
- Make testing services available to the metropolitan entitlement jurisdictions for the random and complaint-based testing of rental properties assisted by jurisdictions, giving priority to those situations where information about possible discriminatory practices, policies or conduct has been brought to the attention of the jurisdiction.
- Recruit, train, and maintain a pool of testers of sufficient number and diversity to effectively respond to the diversity of requests expected for testing services.
- Coordinate and supervise testers to ensure that: a) tester assignments are made in a timely manner; b) tests are completed in a timely manner; and c) a full and complete narrative report of tests are prepared and submitted in a timely manner.

Discussion of the following should be included in the proposal:

1. Recruitment and maintenance of tester pool: The applicant should explain the methodology to be used to recruit testers. This explanation should include:

- a. identification of the communities, organizations, institutions, groups and other sources from which testers will be recruited;
- b. an explanation of the number and diversity of testers to be recruited and maintained in a pool to meet the demand expected;
- c. an explanation of how the applicant will assure that the project and pool of testers recruited will be able to effectively serve the needs of individuals with limited English proficiency (LEP);
- d. an explanation of the qualifications of persons recruited to be testers and an assurance that the qualifications of the testers employed will meet the requirements of HUD's Fair Housing Initiatives Program; and
- e. an explanation of the procedures to be followed, and the steps to be taken, to ensure ongoing availability of a pool of testers sufficient in number and diversity to complete the number of complaint-based tests proposed.

The applicant should also describe in detail the experience, qualifications and duties of all project staff who will be responsible for recruiting, maintaining and supervising a well functioning pool of testers sufficient in number and diversity to meet the demand for complaint-based testing in the Twin Cities metropolitan area.

2. Training of testers: The applicant should describe in detail the training to be provided to the persons recruited to be testers, including a description of training to be provided with respect to:

- a. the basic principles of fair housing law;
- b. the avenues available for complaint enforcement; and
- c. the essential protocols to be followed in conducting a test and reporting information relevant to the test.

The applicant should describe the training techniques to be employed. The applicant should describe in detail the training materials to be provided to the recruits. The applicant should also describe the expected experience and qualifications of the trainers who will provide the tester training.

3. Manuals and forms: The applicant should describe and, if possible, submit with the application, any manuals or reference materials to be used by testers as a reference in performing their tasks. The applicant should also describe and, if possible, submit with the application, any forms to be used in conducting complaint-based tests, e.g., assignment forms and test forms (for recording necessary information and narrative about rental units and conversations with owners and rental agents), summary forms, etc.

4. Coordination and supervision: The applicant should describe what procedures will be followed and what safeguards will be in place to ensure that testers with the required characteristics:

- a. are assigned in a prompt and timely manner to conduct a complaint-based test in response to a reasonable request for such a test;
- b. complete the testing assignment in a reasonably prompt and timely manner;
- c. conduct a thorough test; and
- d. prepare a full and complete narrative report.

The expected duties of staff who will be responsible for coordination and supervision should also be described. The applicant should describe the procedures to be followed by project staff in selecting appropriate testers, giving testers their assignments, coordinating and supervising tests, debriefing the testers, evaluating the quality of the testers' work, and providing ongoing training supervision and

Official Notices

feedback to the testers.

5. Related enforcement activities: Describe in detail the related enforcement activities which will be provided in connection with the complaint-based testing services, including but not limited to investigation of complaints on behalf of complainants, assistance in prosecuting complaints with HUD and local enforcement agencies on behalf of complainants, representation of complainants in court, negotiation of settlements on behalf of complainants, and referral of complainants to private counsel for prosecution of a court action.

6. Estimated product: The applicant should describe the nature and quantity of tests and related enforcement activities the applicant estimates will be completed in response to complaints of discrimination.

7. Budget: The applicant should include as part of its proposal an itemized budget which includes, but is not limited to, the following cost items: staff positions by individual position; fringe benefits for staff; materials and supplies; travel expenses; equipment; consultant expenses; subcontract expenses; training of testers; payment for tests; and other miscellaneous expenses.

8. Ways in which mission and programs complement quality delivery of services: The applicant should describe how its mission, existing programs and activities and staff experience will complement, support and enhance the quality of the complaint-based testing services and related enforcement activities it proposes. This includes describing community partnerships which will operate to enhance the quality of the testing services proposed.

Reporting expectations:

The applicant will be expected to provide periodic reports describing progress made in completing the tasks of the project.

A periodic statistical report should include numerical accounts of:

1. the protected class bases of complaints addressed;
2. the nature of the discriminatory actions complained of;
3. the kinds and levels of enforcement services provided;
4. testing results;
5. referrals made to enforcement agencies or private counsel, specifying to whom referrals were made;
6. legal actions commenced or defended; and
7. the results and nature of the benefit(s) to the complainant.

A periodic narrative report of the work of the project should supplement the statistical report and should include an explanation of:

1. the extent to which the proposed outcomes of the project are being reached; and
2. alterations recommended in the proposed project activities and/or outcomes to better meet the needs of the persons being served.

Length of project funded: The applicant should plan a project that will be somewhere between 12 and 24 months in duration.

Continuing funding:

No assurance can be given that funding will be available for subsequent grants for such services. Since ongoing funding is likely to be needed by the applicant to continue providing the same level of such services after this funding ends, the applicant should discuss how ongoing funding will, might or should be pursued.

Deadline for submitting proposal: December 1, 2004

Funding to be available on or after: February 1, 2005

Submit proposals to:

Tonja Orr
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101

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) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site 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.

Minnesota State Colleges and Universities

Minneapolis Community & Technical College

NOTICE OF INTENT to issue Request for Bids to purchase a C.N.C. Vertical Mini-Machining Center. Bid to Include Delivery, Placement, Warranty, Training & Support

Deadline for proposals: 2:00 p.m. Monday November 15, 2004

Contact for specifications and questions :

Kim Munson/Machine Tool Instructor
Minneapolis Community & Technical College
1501 Hennepin Avenue
Minneapolis, MN 55403
Phone: (612) 659-6093
Fax: (612) 659-6825
E-mail: Kim.Munson@minneapolis.edu

Submit proposals to:

Michael Noble-Olson/Purchasing Manager
Minneapolis Community & Technical College
1501 Hennepin Avenue
Minneapolis, MN 55403
Phone: (612) 659-6866
E-mail: Michael.Noble-Olson@minneapolis.edu

Department of Health

Notice of Availability of Contract for Program Adaptation Research and Evaluation Services

The Minnesota Department of Health is requesting proposals for the purposes of formative research and evaluation for adaptation of two "best practice" alcohol use and contraception behavior change intervention prototypes. These two evidence-based prototype interventions, available through the Centers for Disease Control and Prevention (CDC), aim to change risk behaviors among women of child bearing age through their implementation and integration into routine clinic practice. Both prototype interventions will be adapted to employ the skills and knowledge of a multidisciplinary professional and para-professional team. The interventions will be piloted at one community agency site and potentially replicated at additional sites in the future. The vendor must have experience in formative research techniques and methods including leading focus groups and conducting key informant interviews; conducting job analyses and competency assessments; and designing and evaluation plan to document and convey program adaptation, implementation, feasibility, and sustainability.

Work is proposed to start January 2005.

A Request for Proposals will be available by mail from this office through November 12, 2004. A written request (by direct mail or fax) is required to receive the Request for Proposal.

State Contracts

After November 12, 2004, the Request for Proposal must be picked up in person.

The Request for Proposals can be obtained from:

Sheila Blackman
Minnesota Department of Health
Division of Community and Family Health
P.O. Box 64882
St. Paul, MN 55164-0882
Phone: (651) 281-9850
Fax: (651) 215-8953
E-mail: Sheila.Blackman@health.state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., Central Time, Friday, December 3, 2004, as indicated by a postmark or by a notation made by the Receptionist, 4th Floor, 85 East Seventh Place, St. Paul, MN 55101. Late proposals will not be considered. Fax or e-mailed 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.

Human Services Department

State Operated Services

Notice of Request for Proposals to Acquire and Implement a New Pharmacy Management Information System at St. Peter Regional Treatment Center/ Minnesota Security Hospital

The Department of Human Services (DHS) requests proposals to acquire and implement a new Pharmacy Management Information System at the St. Peter Regional Treatment Center/Minnesota Security Hospital. The goal of the new system would be to continue to meet patient safety standards, to improve clinical communication, monitor prescription products and to control costs.

The contract will begin on the date stated in the contract or upon full execution of the contract, whichever is later, and will be completed by October 14, 2005 with an option to extend up to two, two-year periods.

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

All proposals must be received not later than 4:20 p.m., CST, on November 19, 2004 to be considered. It is anticipated that the selection and evaluation will be completed by December 17, 2004.

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 Human Services Notice of Request for Proposals – Consumer Satisfaction and Quality of Life Survey in Minnesota Nursing Homes

The Department of Human Services is soliciting proposals from qualified vendors to conduct consumer satisfaction and quality of life survey work in Minnesota nursing homes by performing face to face interviews.

Minnesota Statutes, Section 256B.439 authorizes the commissioner of human services, in cooperation with the commissioner of health, to develop and implement a quality profile system for nursing facilities. The design of the quality profile and the consumer satisfaction and quality of life survey instrument, including the methods of implementing them has been completed.

Requests for copies of the complete RFP, “Consumer Satisfaction and Quality of Life Survey in Minnesota Nursing Homes” should be directed to Deb Woods at (651) 296-7123. The original and two (2) copies of your proposal in response to this RFP must be submitted to Valerie Cooke, Minnesota Department of Human Services, Nursing Facility Rates and Policy Division, 444 Lafayette Road, St. Paul, MN 55155-3836, no later than 4:20 p.m. on Tuesday, November 16, 2004.

The Department of Human Services and the State of Minnesota reserve the right to reject any and all proposals submitted. This request for proposals does not obligate the Department of Human Services to complete the project, and the department reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Department of Human Services Request for Proposals to Develop and Maintain the Community Services Information System (CSIS)

The MN Department of Human Services is requesting proposals from qualified professionals to develop and maintain CSIS. CSIS is a computer application maintained by DHS for use by 77 MN counties to meet state and federal reporting requirements for social services as well as meeting local needs of the counties. Proposals must be submitted no later than 12:00 noon CDT, Monday, November 15, 2004.

This request does not obligate the State to complete the work proposed in the 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.

Copies of the complete RFP are available from:

Department of Human Services
Social Services Information System
ATTN: Mary Klinghagen
444 Lafayette Road
St. Paul, MN 55155-3862
Phone: (651) 772-3792
E-mail: mary.klinghagen@state.mn.us

Department of Human Services Disabilities Services Division Operations Unit Request for Proposals for Development of a Web-based Training Module on Case Management

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS), Disabilities Service Division (DSD), is seeking via a Request for Proposals (RFP) a qualified party(s) for the development of a Web-based training module on Case Management to be accessed via the Department of Human Services Learning Management System (LMS), Pathlore. The Case Management module will include three sub-modules:

State Contracts

- Fundamentals of Case Management
- Flexible Case Management
- Waiver Case Management

The selected vendor will be provided with curriculums prepared by subject-matter experts.

Web-module to be based on 4C/ID Model by van Merriënboer. This model states that complex skills are learned by performing them. Instructional multimedia design based on the 4C/ID Model focuses on providing practice opportunities, not the use of media to present information. This system allows learners to acquire skills through practice, with information made available as needed to support skill acquisition

Disability Services Division (DSD) utilizes Pathlore LMS, to manage the division's training needs. Below are requirements that the successful responder must follow in order for the Web-module to be compatible with Pathlore and to meet DSD Web-learning training standards:

The training module is to be developed using only HTML, Java, and JavaScript codes and .gif and .jpeg files, which are compatible with Dreamweaver to allow for future updates by DSD staff. All training modules:

- a. MUST BE ADA and 508 compliant.
- b. MUST BE SCORM 2.1 protocol compliant.
- c. CAN NOT use Flash (.swf) or Flash objects.
- d. CAN NOT use Frames

All services under this contract shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors at all tiers.

The term of the contract shall be from January 15, 2005 to June 30, 2005. It is estimated that this contract will not exceed \$50,000.00.

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

Minnesota Department of Human Services
Attn: Peg Booth
Disabilities Services Division
444 Lafayette Road
St. Paul, MN 55155-3857
(651) 634-5484

All proposals must be received no later than 2:30 p.m., Central Time, Tuesday, November 16, 2004 as indicated by a notation made by the Receptionist.

Late proposals will not be considered.

Submit three copies of proposals. An authorized member of the firm must sign each copy of the proposal in ink. Proposals must be delivered in a sealed envelope or package with the responder's name and address clearly written on the outside of the parcel. Fax, e-mail or other electronically transmitted copies will not be considered.

For this project, **DHS** will review, evaluate resumes, and conduct interviews as needed. After this is done a reverse auction will be held, conducted by the Minnesota Department of Administration, to determine the best cost. Written cost proposals are still required and must be submitted with the respondents technical proposal by the due date and time stated in this RFP. Your signed paper cost proposal should be your best offer consistent with your normal proposal practices, ignoring the reverse auction component. The starting price for the reverse auction will be entered by your bidder during the pre-bid of the reverse auction and may be different than the costs specified in your signed paper cost proposal submitted with the technical proposal to **DHS**.

More information concerning Reverse Auction and Proposal Content are covered in the body of the RFP.

It is anticipated that the selection process will be completed by December 3, 2004.

Non-State Contracts & Grants

Department of Human Services

Disabilities Services Division

Community Outcomes Section

Notice of Request for Proposals for Development of Three Web-based Training Modules Directed at Case Managers Supporting Persons With Physical, Cognitive and Health Related Disabilities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS), Disabilities Service Division (DSD), is seeking to enter into a contract via a Request for Proposals (RFP) from a qualified party who will be responsible for development of three web-based training modules directed at case managers supporting persons with physical, cognitive and health related disabilities.

Current advances in on-line training provide distant learning opportunities for persons who traditionally had limited access to teacher/classroom style education.

Traditional lecture style training required travel, scheduling based on teacher/trainer availability and information based on general audience needs. On-line training has several advantages, most importantly access based on the learner's schedule and interactivity with the material. The case management curriculum will be organized into three modules, they are:

1. Flexible Case Management
2. Fundamentals of Case Management
3. Waiver Case Management

Content will focus on various functions of case management including administrative and service coordination which include assessment, planning, problem resolution, monitoring and advocacy. Content in each module will reflect various case management functions using scenarios, examples, simulations, and illustrations reflecting choice, flexibility, individual preferences, and cost effectiveness.

The term of the contract shall be from January 2, 2005 to April 15, 2005. It is estimated that this contract will not exceed \$49,500.00.

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

Minnesota Department of Human Services
Att. Gerald Nord
Disabilities Services Division
444 Lafayette Road
St. Paul, MN 55155-3857
(651) 582-1937

All proposals must be received no later than 3:00 p.m. Monday, November 15, 2004. Late proposals will not be considered.

Submit three copies of proposals. Proposals must be delivered in a sealed envelope or package with the responder's name and address clearly written on the outside of the parcel. Fax, e-mail or other electronically transmitted copies will not be considered. It is anticipated that the selection process will be completed by November 22, 2004.

Department of Natural Resources

Notice of Availability of Contract for: Monitoring Implementation of Timber Harvesting and Forest Management Guidelines on Public and Private Forestland in Minnesota

The Minnesota Department of Natural Resources is requesting proposals for the purpose of collecting field data to document and evaluate the application of the timber harvesting and forest management guidelines on randomly selected timber-harvesting sites on public and private forestland in Minnesota. For purposes of this project, forestland ownership categories in Minnesota are state, county, USDA Forest Service, other public agency, forest industry, non-industrial private forest, and American Indian land. The selected harvest sites will be located throughout all regions of the state.

State Contracts

Work is proposed to start after January 15, 2005.

A Request for Proposals will be available by mail from this office through November 29, 2004. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After November 29, 2004, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Rick Dahlman
BMP Program Coordinator
DNR/Division of Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
Telephone: (651) 296-6502
FAX: (651) 296-5954
E-mail: rick.dahlman@dnr.state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above **NO LATER** than 4:00 p.m. on **Monday December 20, 2004.** **Late proposals will not be considered.** Fax or e-mailed 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 Public Safety Bureau of Criminal Apprehension - CriMNet Request for Proposals (RFP) for Business Analysts

Professional/technical services of two individuals are needed to provide the Minnesota Department of Public Safety, Bureau of Criminal Apprehension/CriMNet ("CriMNet") with business analysis planning to support the CriMNet Web Application. Services will include working on CriMNet's web application log-in system, subscription and workflow analysis including: gathering and documenting user and data requirements, and facilitating business process improvement projects/workgroups.

These individuals will be required to work on site at CriMNet's office located at 1430 Maryland Ave East, St. Paul, MN 55106 throughout this project. The output from this contract will be a set of documents, describing processes, procedure, business flows and data flows. The roll of the business analysis is to foster the process of gathering information, analyzing it, and capturing it into a set of documents. Minimum skills and experience required by respondents to this RFP include: Strong analytical and facilitation skills, good organizational skills, good Microsoft Word versions 2000 and higher skills, five years business analysis experience, strong writing and communication skills, planning experience, analysis experience with a variety of IT and/or business systems. Resumes are required with three references that may be contacted by CriMNet. Resumes must outline individuals' background and experience, and include examples of similar work done by the individual. Resumes must clearly describe the individuals' background and experience that is relevant to this engagement.

Anticipated contract start date for this project is December 6, 2004 ending on December 5, 2005. Details are contained in a complete RFP, which may be obtained by emailing: Paul.Schoen@state.mn.us. All questions concerning this RFP should be emailed to Oded Galili at Oded.Galili@state.mn.us, and should be received by Oded Galili no later than 2:00 PM Central Daylight Time on October 29, 2004. Answers to questions will be in emailed to all entities requesting a complete RFP. Final date for submitting proposals is 2:00 PM Central Standard Time on November 8, 2004.

**Department of Transportation
Engineering Services Division****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 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the 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 (RFP) for Architectural/Engineering Services for Little Canada Park/Ride Facility

Contract Number 04P0103

The Metropolitan Council is requesting proposals for architectural/engineering services for the design, and construction support services of a park/ride facility at Highway 36/Rice Street/County Road B in Little Canada. Work will include design services for grading, pavement, curb and gutter, and underground utilities; pre-bid and bid activities, construction administration, and other support services.

Issue Request for Proposals	October 25, 2004
Pre-proposal Conference	November 8, 2004 at 10:00AM
Receive Proposals	November 17, 2004
Contract negotiated, executed, NTP	December 1, 2004
Advertise for Construction Bids	March 2005

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 E. Fifth Street
St. Paul, MN 55101
PHONE: (651) 602-1086
FAX: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Employment Drug and Alcohol-Testing Services

Reference Number 04P121

The Metropolitan Council is soliciting Request for Proposals to provide drug and alcohol-testing services for its Federal Transit Administration mandated program. This RFP also includes employment testing under Federal Highway Administration guidelines.

Issue Request for Proposals	October 25, 2004
Receive Proposals	November 23, 2004
Interviews (if required)	November 29 – December 3, 2004
Evaluations Complete	December 10, 2004
Negotiations Complete	December 17, 2004
Notice to Proceed	January 31, 2005

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail or phone request to:

Elizabeth Sund
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council

Non- State Contracts & Grants

230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1169
Fax: (651) 602-1083
E-mail: elizabeth.sund@metc.state.mn.us

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council

Notice of Request for proposals (RFP 04P056) 2005-2010 Metro Mobility Demand Service

The Metropolitan Council is requesting service proposals for two contractors to provide metro Mobility Demand Service during the period 2005 to 2010.

<i>Issue Request for Proposals</i>	10/25/2004
<i>Pre-Proposal Meeting</i>	11/08/2004
<i>Receive Proposals</i>	12/10/2004
<i>Contract Negotiated, Executed NTP</i>	03/04/2005

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Minnehaha Creek Watershed District

Notice of Call for Bids for Structure Repair and Maintenance

Class of Work: Construction, Excavation, Sheeting

Bids Close At: 2:00 PM, November 15, 2004

NOTICE TO CONTRACTORS

Sealed Bid Proposals for work indicated above will be received by the Minnehaha Creek Watershed District at 18202 Minnetonka Boulevard, Deephaven, Minnesota 55391 until 2:00 PM, November 15, 2004, after which time such bids will be publicly opened and read aloud at the District Office. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc., 1800 Pioneer Creek Center, P.O. Box 249, Maple Plain, Minnesota 55359, consists of the following major items of work:

1. Restoration
2. Erosion Control
3. Rip Rap
4. Sheet Piling
5. Clay Fill

Bid Proposals shall be submitted on forms furnished for that purpose.

Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified check made payable to Minnehaha Creek Watershed District (OWNER) in the amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running

Non-State Contracts & Grants

to the OWNER, with the surety company thereon duly authorized to do business in the State of Minnesota, such Bid Security to be a guarantee that the bidder will not, without the consent of the OWNER, withdraw his bid for a period of sixty (60) days after the opening of bids, and, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. All bid securities except those of the three lowest bidders will be returned within five days after the opening of bids.

The Bid Security of the three (3) lowest bidders will be retained until the contract is executed, but in no event longer than sixty (60) days, provided that the Bid Security of the lowest responsible bidder shall be retained in any event until the contract is executed and Public CONTRACTOR'S Bond furnished as herein provided. No bidder shall, without the consent of the OWNER, withdraw his bid for a period of sixty (60) days after the date for the opening thereof.

The bid of the lowest responsible bidder, will be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies.

Plans and specifications are on file for inspection at the Minnehaha Creek Watershed District Office aforesaid and at the office of Wenck Associates, Inc., 1800 Pioneer Creek Center, P.O. Box 249, Maple Plain, Minnesota, 55359; and at the Builders Exchange, 1123 Glenwood Avenue North, Minneapolis, Minnesota 55405.

Bidders desiring drawings and specifications for personal use may secure a complete set from:

Wenck Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, Minnesota 55359-0249
Telephone: (763) 479-4200
Facsimile: (763) 479-4242

Non-refundable deposits in the form of a check shall be made payable to: "Wenck Associates, Inc." The deposit shall be in the amount of \$65.00 per set of contract documents (drawings and specifications).

Dated: October 11, 2004

Owner: Minnehaha Creek Watershed District

By: Resolution of the Managers, Lance Fisher, President

University of Minnesota

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

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

Request 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.

Minnesota's Bookstore

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St. Paul, MN 55155

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10% OFF! *Trees of Minnesota Field Guide*

This pocket-sized field guide features 93 species of Minnesota trees. Easy-to-use thumb tabs show leaf type; fact-filled information includes comparison of average tree height to a two-story house; full color photos showing bark, blossoms, leaves, and fruit. **Stock Number:** 9-45 **Price:** \$11.66 **Publisher:** Adventure Publishing **Year:** 2001 **Pages:** 194

10% OFF! *Minnesota Travel Companion:*

A Guide to History Along Minnesota's Highways

Make your road trips come alive, with this great collection of historical background about the communities and people living along our most frequently traveled highways. Learn about the Sioux uprising that caught settlers by surprise in the Hwy. 7 area near Hutchinson. Discover that the city of Hibbing (off of Hwy. 169 North) was moved from its original location in 1915 to allow for access to rich deposits of ore. Find out what Minnesota town along Hwy. 35 South was the first to form a cooperative, spawning what has grown to 1400 coops throughout the nation, 50% of them in Minnesota. Learn how towns got their name, how they interact with the rivers and railroad, etc. **Stock Number:** 19-114 **Price:** \$17.96 **Publisher:** U of M Press **Year:** 2001 **Pages:** 253

Minnesota's Iron Country: Rich Ore, Rich Lives

Northern Minnesota's rich iron ore deposits helped shape the destiny of the United States, and in times of war helped protect the world. The story is all here in this exploration of Minnesota's Iron Country, revealing the lives of a remarkable people, and the industrial and political forces of one of America's most important regions. **Stock Number:** 17-10 **Price:** \$19.95 **Publisher:** Lake Superior Port **Year:** 2004 **Pages:** 276

Field Guide to the Freshwater Mussels of Minnesota

A tool for anyone interested in identifying and learning about Minnesota freshwater mussels. Contains photographs, shell descriptions, habitat associations, and distribution maps. Also contains general information about mussels, their importance in the ecosystem, threats to their survival, collection methods and collection regulations. **Stock Number:** 9-90 **Price:** \$9.95 **Publisher:** Natural Resources **Year:** 2003 **Pages:** 144

NEW! Minnesota Contractor's Reference Manual

An essential reference that explains how the contracting industry works, and prepares you for the licensing examination. Organized into 12 chapters, including a glossary of legal and industry terms, the manual provides an easy-to-read description of procedures and legal requirements. Includes copies of important government rules and regulations. **Stock Number:** 26-14 **Price:** \$55.00 **Publisher:** Experior **Year:** 2003 **Pages:** 64

