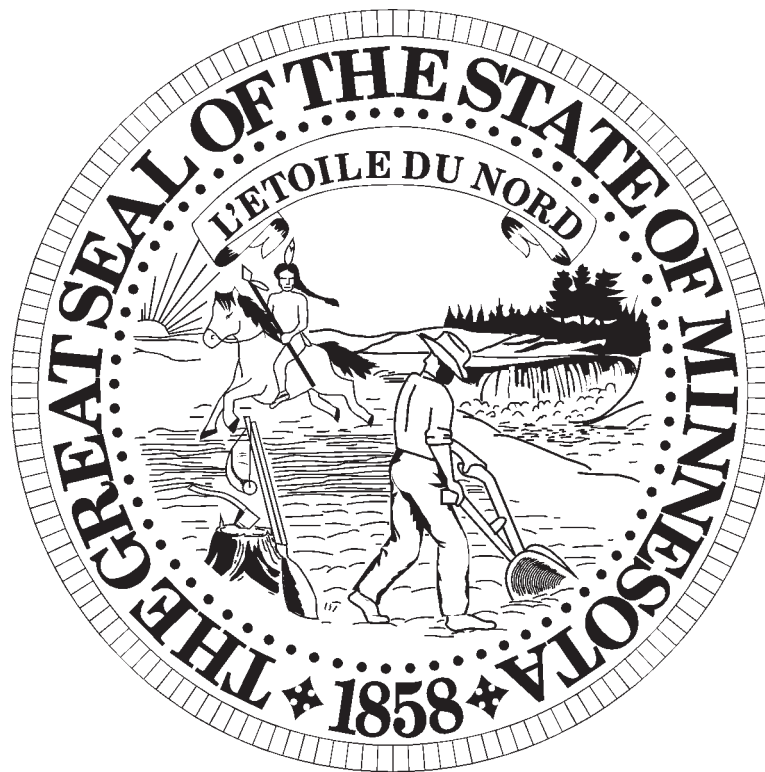


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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# State Register

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- appointments
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#41	Monday 11 April	Noon Tuesday 5 April	Noon Wednesday 30 March
#42	Monday 18 April	Noon Tuesday 12 April	Noon Wednesday 6 April
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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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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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# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**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.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2005 Bear Season and Permit Procedures

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.405 and 97B.411.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population and harvest data needed prior to setting quotas and bag limits are not available until February. Quota numbers and bag limits are necessary so that harvests and populations can be managed and to allow applicants to evaluate where they want to apply. Applications for licenses are accepted beginning in late March and the application deadline is the first Friday in May. Additional flexibility in distributing leftover licenses to people who do not initially apply is necessary because the number of permits available may exceed the number of applicants, and because the attainment of bear harvest goals is critical to managing the bear population at a level that does not result in serious bear nuisance and damage problems.

Dated: March 16, 2004

Gene Merriam  
Commissioner of Natural Resources

#### **6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.**

Subpart 1. **Bag limit.** A person may not take more than one bear in quota zones or two bears in no-quota zones during any calendar year whether by firearm or archery. Bears taken may be of either sex or any age except that bear cubs may not be taken.

[For text of subps 2 to 8, see M.R.]

#### **6232.2900 BEAR PERMIT PROCEDURES.**

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

Subp. 2. **Drawings.** Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas. Preference in the drawings will be given to applicants based upon the number of times they have correctly applied for a license in a quota area in previous years but have not been selected. Upon issuance of a quota area license, all accumulated preference will be lost. Obtaining a no-quota bear license will have no effect upon eligibility or reference in the drawings. In quota areas with fewer applicants than available licenses, the remaining available licenses may be ~~issued~~ first offered to unsuccessful applicants for other quota areas on a first come, first-served basis. Remaining available licenses shall be offered to unsuccessful applicants beginning at 12:00 p.m. on the first Monday in August. Any remaining available licenses not purchased by unsuccessful applicants may then be issued to any eligible person as prescribed by the commissioner on a first-come, first-served basis. To obtain a remaining available license, an eligible person must apply individually and in person at an electronic license system agent location or individually through the ELS-Internet or ELS-telephone system. Remaining available licenses shall be offered to any eligible person beginning at 12:00 p.m. on the second Monday in August. Individuals who purchase these remaining available licenses will retain their accumulated preference.

[For text of subps 3 to 7, see M.R.]

#### **6232.3055 BEAR LICENSE QUOTAS.**

The number of available licenses for quota areas for the 2005 bear hunting season is 15,950 and is divided as follows:

A. Bear Quota Area 12: 550;

B. Bear Quota Area 13: 900;

C. Bear Quota Area 22: 150;

# Expedited Emergency Rules

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- D. Bear Quota Area 24: 1,200;
- E. Bear Quota Area 25: 1,900;
- F. Bear Quota Area 26: 1,500;
- G. Bear Quota Area 31: 2,100;
- H. Bear Quota Area 41: 450;
- I. Bear Quota Area 44: 1,700;
- J. Bear Quota Area 45: 1,500; and
- K. Bear Quota Area 51: 4,000.

**REPEALER.** The expedited emergency amendments to *Minnesota Rules*, parts 6232.2800 and 6232.2900, published in the *State Register*, volume 28, page 1213, April 5, 2004, are repealed.

**EFFECTIVE PERIOD.** *Minnesota Rules*, part 6232.3055, expires December 31, 2005. The expedited emergency amendments to *Minnesota Rules*, parts 6232.2800 and 6232.2900, expire December 31, 2005. After the emergency amendments to *Minnesota Rules*, parts 6232.2800 and 6232.2900, expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule.

## 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 Veterans Affairs

### Notice of Appointment of Commissioner Clark Dyrud

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Clark Dyrud to the office of Commissioner of the Minnesota Department of Veterans Affairs effective March 28, 2005. He succeeds former Commissioner Jeff Olson, who held the position since his reappointment effective 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 Veterans Affairs are:

- *Minnesota Statutes*, Chapters 196, 197, 198
- *Minnesota Rules* 9050

Commissioner Dyrud resides at 5501 Humboldt Circle, Minneapolis, Minnesota 55419, Hennepin County, Congressional District Five.

He can be reached at the Minnesota Department of Veterans Affairs, Veterans Service Bldg., 2nd Floor, 20 West 12th Street, St. Paul, MN 55155. Telephone (651) 296-2783. Internet home page: <http://www.mdva.state.mn.us>

# Commissioners' Orders

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

## Minnesota Pollution Control Agency

### Commissioner's Order: Findings of Fact, Conclusions, and Order in the Matter of the Petition to Annex Specified Areas Adjacent to the Lake Washington Sanitary District

The Lake Washington Sanitary District, Township of Kasota, and Le Sueur County have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the annexation of specified area adjacent to Lake Washington Sanitary District. The Chairman of the Lake Washington Sanitary District, the Kasota Township Board of Supervisors, and the Le Sueur County Board were authorized to sign the petition pursuant to resolutions passed by their respective bodies of government.

The MPCA published notification of the intent to approve the annexation of specified areas adjacent to the Lake Washington Sanitary District in the *State Register* on February 14, 2005. The MPCA also notified all property owners in the affected areas by mail of the notification published in the *State Register*.

The MPCA, after having considered the petition, publishing notice of intent to approve the annexation to the sanitary district in the *State Register*, having notified the property owners of the intent to create the district, having not received comment letters during the notice period, having not received 25 or more hearing requests requisite for a hearing, and being fully advised in this matter, hereby makes the following:

#### FINDINGS OF FACT

1. The territory of the existing Lake Washington Sanitary District is legally described as:

#### Within Washington Township:

Corner's Point Subdivision, Le Sueur County, Minnesota. All that part of Section 6, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive. All that part of Section 7, Township 109 North, Range 25 West, Le Sueur County, Minnesota, lying southerly of North Shore Drive. All that part of Section 8, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive. All that part of Section 9, Township 109 North, Range 25 West, Le Sueur County, Minnesota, lying southerly of North Shore Drive and northerly of Patterson Road; also that part of the westerly 600 feet of the Southwest Quarter of said Section 9 lying southerly of Patterson Road.

Washington Park Subdivision, Washington Park Subdivision No. 2, Lundin's Lake Washington Subdivision, Loeffler's Subdivision No. 2, Loeffler's Subdivision No. 1, Linder Bay, and Block One, Hiniker's Rolling Acres; Section 17, Township 109 North, Range 25 West, Le Sueur County, Minnesota. Also that part of said Section 17, lying westerly of the following described line; beginning at the southeast corner of said Hiniker's Rolling Acres; thence south to the south line of said Section 17 and there terminating.

#### Within Jamestown Township:

Gurni Subdivision No. 2, Gurni Subdivision No. 3, Section 20, Township 109 North, Range 25 West, Blue Earth County, Minnesota, and that part of said Section 20 lying northerly of County Road No. 2. Also that part of said Section 20 described as follows: beginning at the southwest corner of Lot 7, Block 2, Gurni Subdivision No. 3; thence south 400 feet; thence west 200 feet; thence northwesterly to the intersection of the south line of said Gurni Subdivision No. 3 and the shoreline of George Lake; thence east on said south line to the point of beginning.

Gurni Subdivision No. 2, Williwan Knolls Subdivision, and all that part of Section 19, Township 109 North, Range 25 West, Blue Earth County, Minnesota, lying northerly of Jessica Drive and northerly of County Road No. 2.

#### Within Kasota Township:

All that part of Section 18, Township 109 North, Range 25 West, Le Sueur County, Minnesota, lying easterly and northerly of Crystal Cove Road. Also that part of said Section 18 lying northerly of the following described line: beginning at the southwest corner of West Addition to Kennywood Beach Subdivision; thence west to the west line of said Section 18 and there terminating. All that part of Section 13, Township 109 North, Range 26 West,

# Commissioner's Orders

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Le Sueur County, Minnesota, lying northerly of Limberdink Road and easterly of County Road No. 19. All that part of Government Lots 3 and 4, Section 12, Township 109 North, Range 26 West, Le Sueur County, Minnesota, lying easterly of Baker's Bay Road, and lying southerly and easterly of the northerly and westerly lines of Wakefield's Sunrise Acres and Wakefield's Sunrise Acres No. 2. Also lying southerly of the following described line: beginning at the northwest corner of Wakefield's Sunrise Acres No. 2; thence west to County Road No. 19 and there terminating. Also that part of Government Lots 1 and 2, and that part of the east 600 feet of the Northwest Quarter of said Section 12, lying northeasterly of County Road No. 19. All that part of Section 1, Township 109 North, Range 26 West, Le Sueur County, Minnesota, lying southerly of North Shore Drive.

2. The territory proposed to be annexed to the Lake Washington Sanitary District is legally described as:

All that part of the Northwest Quarter of Section 12, Township 109 North, Range 26 West, Le Sueur County, Minnesota, lying easterly and northerly of County Road No. 19, excepting therefrom the East 600 feet, also excepting therefrom the following described parcel: beginning at the Northeast corner of the West 140 acres of the Northwest Quarter of said Section 12; thence South on the East line of said West 140, 700 feet, thence North 69 degrees 00 minutes West, 680 feet; thence South 60 degrees 00 minutes West to the centerline of Shanaska Creek the point of beginning of the tract to be described; thence continuing South 60 degrees 00 minutes West to the easterly right of way line of County Road No. 19; thence northerly along said easterly right of way line to the centerline of Shanaska Creek; hence southeasterly along said centerline to the point of beginning. That part of Government Lot 3 of Section 12, Township 109 North, Range 25 West, Le Sueur County, Minnesota, lying North of Wakefields Sunrise Acres, lying West of Baker Bay Road and East of a line being 300 feet West of the West line of Baker Bay Road. The West 400 feet of the North 400 feet of the Southwest Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, Le Sueur County, Minnesota, and the West 50 feet of the Northwest Quarter of the Southeast Quarter and the West 50 feet of the Southwest Quarter of the Northeast Quarter of Section 13, Township 109 North, Range 26 West, Le Sueur County, Minnesota, lying South of the North line of Limberdink Road. That part of the Southwest Quarter of the Southeast Quarter and part of the West 10 acres of the Southeast Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, Le Sueur County, Minnesota, described as follows: commencing at the South Quarter corner of Section 13; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of the Southeast Quarter of Section 13, a distance of 1,054.29 feet to the point of beginning; thence North 01 degrees 09 minutes 45 seconds West, 584 feet; thence North 82 degrees 32 minutes 39 seconds East, 352.39 feet; thence North 86 degrees 55 minutes 48 seconds East, 249.75 feet to the East line of the West 10 acres of the Southeast Quarter of the Southeast Quarter of Section 13; thence South 01 degrees 09 minutes 45 seconds East along said East line, 643.11 feet to the South line of the Southeast Quarter of Section 13; thence North 90 degrees 00 minutes 00 seconds West along said South line 600 feet to the point of the beginning, and the South 50 feet of the Southeast Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, Le Sueur County, Minnesota.

The South 50 feet of Section 18, Township 109 North, Range 25 West, Le Sueur County, Minnesota, lying West of the East line of Crystal Cove Road.

A map displaying the boundaries of the proposed annexation area and current Lake Washington Sanitary District boundaries is available at the MPCA.

3. On August 2, 2004, a public meeting was held at the Lake Washington County Park Community Building to consider the proposed annexation of territory. Notice of the public meeting was published at least once each week for two weeks in *The Mankato Free Press and The Land*, a local qualified newspaper published in the area. The Notice was published on July 16, 2004 and July 23, 2004 in *The Mankato Free Press and The Land*. The meeting Notice was mailed to all landowners on record within the proposed annexation area.
4. On August 9, 2004, the Lake Washington Sanitary District Board of Managers adopted a resolution authorizing the submission of the petition for annexation of properties to the Lake Washington Sanitary District. The resolution was published in *The Mankato Free Press and The Land* on August 23, 2004, and August 30, 2004, and became effective forty (40) days after the date of first publication.
5. On August 9, 2004, the Township of Kasota Board of Supervisors adopted a resolution authorizing the Board Chairperson and Clerk to sign the petition for annexation of properties to the Lake Washington Sanitary District. The resolution was published in the *St. Peter*

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## Commissioner's Orders

*Herald* on August 26, 2004, and became effective forty (40) days after the date of publication.

6. On August 10, 2004, the Le Sueur County Board of Commissioners adopted a resolution authorizing the Board Chairperson and Auditor to sign the petition for annexation of properties to the Lake Washington Sanitary District. The resolution was published in *The Elysian Enterprise* on August 26, 2004 and September 2, 2004 and became effective forty (40) days after the date of first publication.

7. On October 12, 2004, a petition was filed with the MPCA requesting approval of the annexation of specified areas to the Lake Washington Sanitary District. The Chairman of the Lake Washington Sanitary District Board of Managers, the Chair of the Kasota Township Board of Supervisors, and the Chairman of the Le Sueur County Board signed the petition for annexation of specified areas to the district as authorized by the resolutions. The petition requesting annexation to the Lake Washington Sanitary District has met all the requirements of *Minnesota Statutes* § 115.21, subd. 1.

8. The annexation area is not within twenty-five (25) miles of the boundary of a city of the first class.

9. On February 14, 2005, the MPCA published the Notice of Intent to Approve the Annexation of Specified Areas Adjacent to the Lake Washington Sanitary District in the *State Register* at 29 SR 954. The Notice was mailed to each of the property owners in the area of the existing district and the annexation areas using addresses provided by the county auditor. The public notice period lasted for 30 days and ended March 16, 2005.

10. By March 16, 2005, the end of the public notice period, the MPCA received no requests for a contested case hearing on the matter. *Minnesota Statutes* § 115.20, subd. 4(b) requires the MPCA to hold a contested case hearing if twenty-five (25) or more written requests are received by the end of the public notice period. During the public notice period, the MPCA received no comments regarding the annexation.

11. Lake Washington is an important regional and economic resource of value to local residents.

12. There is a need throughout the proposed annexation areas for an adequate and efficient means of treating and disposing of domestic sewage. Similar conditions exist in the annexation areas as do in the territory of the existing district. The annexation of the specified areas allows the sanitary district to provide continuous wastewater services, which is important for achieving the purposes of *Minnesota Statutes* § 115.19.

13. Annexation of specified territory to the Lake Washington Sanitary District will serve the purpose of promoting the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage within the district.

14. The maintenance of the sanitary district is administratively feasible and furthers the public health, safety, and welfare. The district is administered by a five member governing board who are voters within the sanitary district and who are elected by members of the related governing bodies in joint session. The Lake Washington Sanitary District has adopted sewer use ordinances and a sewer service charge system to adequately and equitably fund the wastewater treatment operation throughout the district.

### CONCLUSIONS

1. The MPCA Commissioner has subject matter jurisdiction over the petition and annexation pursuant to *Minnesota Statutes* §§ 115.18 to 115.37 (2000).

2. The petitioners have substantially complied with all the procedural requirements of *Minnesota Statutes* § 115.20, as well as other substantive and procedural requirements of law and rule. This matter, therefore, is properly before the MPCA Commissioner.

3. The conditions described in *Minnesota Statutes* § 115.19 and 115.21 for annexation of territory to a sanitary district do exist within the area identified in the legal description.

4. The MPCA is not required to hold a hearing pursuant to *Minnesota Statutes* § 115.20, subd. 4(b).

5. Any of the foregoing Findings of Fact that might properly be termed Conclusions and Conclusions that might be properly termed Findings are hereby adopted as such.

# Commissioner's Orders

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NOW THEREFORE, the MPCA Commissioner hereby makes the following:

## ORDER

It is ORDERED that the specified areas adjacent to the Lake Washington Sanitary District, as identified in the legal description in the petition filed with the MPCA and stated herein, be annexed to the Lake Washington Sanitary District.

Sheryl A. Corrigan  
Commissioner

## Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Enrollee Appeal Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Enrollee Appeal Committee will be held at 9:00 a.m. on Friday, April 15, 2005, at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

This meeting may be closed to the public, if so requested by the appellant(s), pursuant to *Minnesota Statutes* 62E.10, subd. 4.

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

## Minnesota Environmental Quality Board

### EQB Grants a Route Permit to Xcel Energy for Construction of the Buffalo to White 115 kilovolt High Voltage Transmission Line and Associated Facilities and the Yankee Substation in Lincoln County, Minnesota

The Environmental Quality Board on March 17, 2005, voted to designate a route and issue a route permit for the proposed 115 kV high voltage transmission line and associated facilities extending from the Buffalo Ridge Substation located south and east of the city of Lake Benton in Lincoln County on the east to the White Substation in Brookings County, South Dakota, on the west and a new Yankee Substation. The Minnesota portion of the project is approximately 18.6 miles in length, while the total project is approximately 28 miles in length.

Xcel Energy was granted a route permit that specifies a 300 foot wide route for the new 115 kilovolt line that will follow existing roadways. The new Yankee Substation will be located in the northwest quarter of section 5 in Verdi Township.

Structures will be single shaft steel poles designed for both single and multiple circuit use. The proposed transmission line is expected to be in service by the fall of 2007.

The Route Permit for the project contains conditions for right-of-way preparation, construction, cleanup, restoration, electrical performance standards, and other restrictions. The Permit and other information about this project may be reviewed on the EQB Web Site:

<http://www.eqb.state.mn.us/Docket.html?Id=7768>

If you have any questions about this project or would like more information, please contact: Larry B. Hartman, Room 300 Centennial Bldg., 658 Cedar St., St. Paul, Minnesota 55155; **telephone:** (651) 296-5089; **TTY:** 1-800-657-3794; **Fax:** (651) 296-3698; or **e-mail:** [larry.hartman@state.mn.us](mailto:larry.hartman@state.mn.us).

**Minnesota Higher Education Facilities Authority****Notice of Public Hearing on Revenue Obligations on Behalf of Hamline University**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to the proposal to issue revenue bonds or other obligations on behalf of the Trustees of the Hamline University of Minnesota, a Minnesota nonprofit corporation (the "University"), as owner and operator of the Hamline University, an institution of higher education, at the Authority's offices at 380 Jackson Street, Suite 450, St. Paul, Minnesota on Wednesday, April 20, 2005 at 1:00 p.m.

Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount of up to approximately \$19,900,000 to finance a project generally described as (a) the renovations, improvements and equipping of the Bush Memorial Library (including plaza repairs and a chiller replacement), the Robbins Science Center, the Drew Fine Arts Center, the Ceramics Studio Building, Sorin Hall and other facilities (the "Improvements") at a total cost of approximately \$4,500,000; (b) the refunding of the Authority's Revenue Bonds, Series Four-I (Trustees of the Hamline University of Minnesota) (the "Series Four-I Bonds"); and (c) the refinancing of the University's Term Loan dated July 14, 2003 (the "Term Loan"). The Series Four-I Bonds were originally issued to finance (i) the construction, furnishing and equipping of the Lloyd W.D. Walker Fieldhouse; (ii) the construction, furnishing and equipping of an addition to the Law and Graduate Schools Building; (iii) the site acquisition and construction of surface parking spaces on the north and south sides of the campus; (iv) the renovation of computer offices and equipment rooms; and (v) the advance refunding of the Authority's Revenue Bonds, Series Three-A (Trustees of the Hamline University of Minnesota) (the "Series Three-A Bonds") and the Authority's Mortgage Revenue Bonds, Series Three-K (Trustees of the Hamline University of Minnesota) (the "Series Three-K Bonds"). The Series Three-A Bonds were originally issued to finance (i) the advance refunding of the Authority's Revenue Bonds, Series Two-G, the proceeds of which were used for the renovation and refurbishing of Sorin, Peterson, Osborn, Schilling and Manor House Residence Halls; (ii) the renovation, equipping and repairs to Manor House, Sorin and Drew Halls, the Law School, Bush Memorial Library, Old Main and the swimming pool facility; (iii) the purchase and installation of an emergency generator; (iv) the purchase and installation of signage throughout the campus; and (v) maintenance and remodeling projects at various campus locations, including acquisition and installation of replacement windows and sidewalks and security lighting.

The Series Three-K Bonds were originally issued to refund on a current refunding basis the Authority's Mortgage Revenue Bonds, Series Two-A, which were originally issued to finance the construction, furnishing and equipping of an academic building for the law school. The Term Loan was issued to finance the renovation, improvements and equipping of the Learning Center, Drew Fine Arts Center, Bush Student Center, administrative offices, Bush Memorial Library, Sorin Hall, Englewood Building, Old Main and other facilities and the acquisition of additional property for the University. The Authority will also consider the extension of maturities for the Series Four-I Bonds and the Term Loan. The Improvements and the other facilities described in this notice are all owned and operated by the University and located on its main campus, the principal street address of which is 1536 Hewitt Avenue, St. Paul, Minnesota.

At said time and place the Authority shall give all parties who appear or have submitted written comments, an opportunity to express their views with respect to the proposal to undertake and finance the Improvements, the refunding of the Series Four-I Bonds and the refinancing of the Term Loan.

Dated: April 4, 2005

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

**Minnesota Higher Education Facilities Authority****Notice of Public Hearing on Revenue Obligations on Behalf of 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 Macalester College, at the Authority's offices at Suite 450, 380 Jackson Street, Saint Paul, Minnesota, on April 20, 2005 at 1:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original principal amount of up to approximately \$3,450,000 to finance the replacement of the administrative computing system of the College to include new hardware, software licenses, and costs of converting data, training and testing (the "Project"). The Project will be 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 have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: April 4, 2005

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

# Official Notices

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## Metropolitan Council

### Public Hearing on St. Paul Lift Station L-12 Improvements

Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota 55101  
May 10, 2005, 3:00 p.m., Council Chambers

The Metropolitan Council will hold a public hearing on the St. Paul Lift Station L-12 Improvements Facility Plan, MCES Project No. 8022. The Draft Facility Plan for this project, prepared by the Metropolitan Council's Environmental Services Division (MCES), outlines recommendations for the replacement of the existing lift station. The St. Paul Lift Station L-12 is located on Point Douglas Road near the intersection of Highway 61 and Lower Afton Road in St. Paul. This facility is 35 years old and has reached the end of its service life. The pumping station is part of the 1-SP-201 interceptor system and conveys wastewater from portions of the cities of St. Paul, Maplewood and Woodbury to the Metropolitan Wastewater Treatment Plant.

The Draft Facility Plan recommends replacement of the existing lift station with a new submersible pump lift station approximately 300 feet north of the present lift station site. This location will provide significant improvement for maintenance access. The proposed facilities include an on-site emergency generator. Currently, a trailer-mounted generator must be brought to the lift station during power outages. The addition of a redundant forcemain is also included in the proposed improvements.

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

- St. Paul Public Library, 90 West Fourth Street, St. Paul
- St. Paul City Hall (Public Works), 15 West Kellogg Blvd., St. Paul
- Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul

You also may submit comments, which must be **received** by the Metropolitan Council no later than May 20, 2005:

- 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](mailto:data.center@metc.state.mn.us)
- Sent TTY comments to (651) 291-0904

All interested persons are encouraged to attend the public hearing and provide comments.

Upon request, the Metropolitan 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 May 3, 2005.

## Department of Natural Resources

### Division of Fish and Wildlife

### Notice of Fish and Wildlife Habitat Stamp Art Contests

#### Background about the Fish and Wildlife Habitat Stamp Art Contests

*Minnesota Statutes* 97A.045 and *Minnesota Rules* 6290 permit the Commissioner of the Department of Natural Resources (DNR) to conduct contests for selection of designs for fish and wildlife habitat stamps.

**NOTICE IS HEREBY GIVEN** that entry dates for four habitat stamp contests conducted by the DNR are as follows:

**1. Year 2006 Trout and Salmon Stamp contest.** Entries will be accepted beginning July 25, 2005 and continuing until 4 p.m. Friday, August 5, 2005 at the Minnesota Department of Natural Resources, Section of Fisheries, 500 Lafayette Road, St. Paul, Minnesota, 55155. The judging will take place August 11, 2005 at the Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota. The brook trout is not eligible this year.

**2. Year 2006 Migratory Waterfowl Stamp contest.** Entries will be accepted beginning August 22, 2005 and continuing until 4 p.m. Friday, Sept 2, 2005 at the Minnesota Department of Natural Resources, Section of Wildlife, 500 Lafayette Road, St. Paul, Minnesota, 55155. The judging will take place Thursday, September 8, 2005, at the Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota. The mallard is the only eligible species for depiction on the 2006 Minnesota waterfowl stamp.

**3. Year 2006 Pheasant Habitat Stamp contest.** Entries will be accepted beginning September 12, 2005 and continuing until 4 p.m. Friday, September 23, 2005 at the Minnesota Department of Natural Resources, Section of Wildlife, 500 Lafayette Road, St. Paul,

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## Official Notices

Minnesota, 55155. The judging will take place September 29, 2005, at the Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota.

**4. Year 2007 Turkey Habitat Stamp contest.** Entries will be accepted beginning January 2, 2006 and continuing until 4 p.m. Friday, January 13, 2006 at the Minnesota Department of Natural Resources, Section of Wildlife, 500 Lafayette Road, St. Paul, Minnesota, 55155. The judging will take place Thursday, January 19, 2006, at the Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota.

All entries for the contests must be accompanied by the appropriate application materials. Contest application packages, which include all entry forms and specifications, are available by writing: Minnesota DNR Information Center, 500 Lafayette Road, St. Paul, MN 55155-4040; or by calling the DNR at (612) 296-6157.

Bill Penning  
Division of Fish and Wildlife  
Department of Natural Resources

## State Rehabilitation Council Meeting Dates April and May 2005

The State Rehabilitation Council will meet on the following dates at the designated location. For more information please contact the Department of Employment and Economic Development at: phone: (800) 328-9095; (651) 296-5629. TTY: (800) 657-3973; (651) 296-3900. If accommodations are required, please request them no later than one week in advance.

April 27, 2005  
Radisson Hotel Roseville  
2540 North Cleveland Avenue  
Roseville, MN 55113  
9:00 to 2:00

May 25, 2005  
Radisson Hotel Roseville  
2540 North Cleveland Avenue  
Roseville, MN 55113  
9:00 to 2:00

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Department of Education Office of Adult and Career Education Availability of State and Federal Funds for Adult Basic Education

The Minnesota Department of Education announces the availability of state and federal funds for the 2005-2006 school year to provide Adult Basic Education programming under *Minnesota Statutes* 124D.52, and federal Title II of the Workforce Investment Act (P.L. 105-220). The purpose of this funding is to provide educational programming for adults who have English literacy needs and basic education needs (math, reading, writing, listening and speaking) and that are below the level equivalent to high school completion. Eligible clients must be 16 years old or older and not enrolled in public school. Eligible programs include school districts, nonprofit organizations, Community Based Organizations, Faith Based Organizations, and public agencies/institutions. Applicant programs must have documented experience of at least two years of successful work in Adult Basic Education and/or English as a Second Language services to adults. Funding priority will be given to eligible programs that can offer a comprehensive array of programming and demonstrate collaboration

# State Grants & Loans

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with other Adult Basic Education providers and adult support services. **Application deadline is June 1, 2005.**

For further information or to request a copy of the grant application packet, please contact:

Laurie Rheault, Grant Specialist  
Minnesota Department of Education  
Adult Basic Education Unit  
1500 Highway 36 W.  
Roseville, MN 55113  
**Phone:** (651) 582-8432  
**Email:** [laurie.rheault@state.mn.us](mailto:laurie.rheault@state.mn.us)

## Department of Education

### Office of Adult and Career Education

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

The Minnesota Department of Education is seeking proposals from eligible applicants to provide English Language and Civics Education (EL/Civics) instruction for adults. Civics is defined by the *Federal Register* as content relating to the rights and responsibilities of citizenship, naturalization, civic participation, and U.S. history and government. Proposals must simultaneously address English literacy and civics education. Eligible applicants include adult basic education programs, school districts, community action agencies, libraries and nonprofit or community-based organizations. Applicants must have documented experience of at least two years in providing literacy and/or civics programs designed for immigrant and refugee populations. **A Letter of Intent to apply is required by May 6, 2005. Application deadline is May 27, 2005.**

For further information or to request a copy of the Request for Proposal, please contact:

Laurie Rheault, Grant Specialist  
Minnesota Department of Education  
Adult Basic Education Unit  
1500 Highway 36 W.  
Roseville, MN 55113  
**Phone:** (651) 582-8432  
**Email:** [laurie.rheault@state.mn.us](mailto:laurie.rheault@state.mn.us)

## Department of Human Services

### Request for Proposals for Disease Management Evaluation Tools

**NOTICE IS HEREBY GIVEN** that the Department of Human Services, Health Care and Medical Management Division (DHS) is seeking qualified grantees to establish an effective evaluation tool or tools that will enable DHS to measure the effectiveness of disease management (DM) programs for Minnesota Health Care Programs enrollees. DHS will award one or more contracts for work to be completed during the current fiscal year, ending June 30, 2005.

Qualified vendors shall be considered who have:

- 1) experience in serving patients covered by the Minnesota Health Care Programs and,
- 2) experience with disease management or intensive care management for persons with chronic illness, persons with disabilities, or groups impacted by health disparities.

This contract does not obligate the state to any particular vendor, nor to renewal, other than terms and conditions of the original contracting instrument.

For a copy of the full Request for Proposals, or more information, contact:

Thomas Fields, Planning Director  
444 Lafayette Road, St. Paul, MN 55155-3854  
**Phone:** (651) 297-7303  
**Fax:** (651) 297-3230  
**Email:** [tom.fields@state.mn.us](mailto:tom.fields@state.mn.us)

Deadline for proposals is **4:00 p.m. CST on Tuesday 25 April 2005**. No late proposals will be considered.

# 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](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

## Department of Administration

### Real Estate Management Division

#### Request for Proposal (RFP) To Lease 16-Bed Inpatient Community Based Unit for Acute Mental Health Services

The State of Minnesota, Department of Administration, on behalf of the Department of Human Services (DHS), requests proposals for leasing of an existing or newly constructed facility for operation of a 16-bed In-Patient Community-Based Unit (ICBU) for mental health treatment programs by State Operated Services (SOS) of DHS. ICBU facilities will ultimately be operated in various locations throughout the State of Minnesota. Interested parties may submit proposals for the following site.

1 Unit in St. Cloud *or* Waite Park

To request the information package, please e-mail a request to [Kathy.meyer@state.mn.us](mailto:Kathy.meyer@state.mn.us) or **fax** a request to (651) 215-6245.

## Department of Administration

### State Designer Selection Board

#### Request for Proposals for Designer Selection for Administration Building Addition and Remodeling at the West Central Research and Outreach Station, University of Minnesota, Morris Campus (Project 05-04)

##### To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, **1:00 p. m. Monday, April 18, 2005** to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
State Architect's Office  
301 Centennial Office building  
658 Cedar Street  
St. Paul, Minnesota 55155  
(651) 297-1545

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

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

#### 1. PROJECT 05-04

**a. PROJECT DESCRIPTION:** The University of Minnesota intends to enter into a contract with an architectural/engineering team to provide complete predesign, programming, design, contract documents, construction procurement, and construction administration services for the for the expansion and remodeling of the Administration Building at the West Central Research and Outreach Center (WCROC) in Morris. Funding for the design and construction of the project will be requested in the 2006 legislative session.

Research at the WCROC is expanding in the areas of the environment, horticulture, agricultural resources, and renewable energy, such as wind, biomass and biofuels, which will enhance economic prospects for rural areas and improve environmental quality. Expansion and remodeling of the existing Administration Building is necessary to support the research and outreach programs.

The enlarged office facility must be designed to serve as a living laboratory for renewable energy research and sustainable building design

# State Contracts

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concepts, and to provide innovative educational experiences for students and guests from Minnesota and the nation. It will also be a model of sustainable design for industry, communities, and individuals, and a unique opportunity to highlight the University's work in rural Minnesota.

The proposed addition will consist of offices and flexible work space, public meeting rooms, and support space. The size and location of the proposed addition will be developed during the predesign process. Remodeling of the 9,700 gross square foot office building, constructed in 1973, will include replacement of the mechanical, electrical, lighting, communications, and fire protection systems. The interior will be reconfigured to provide ADA accessibility, improve the flexibility of office space, and improve the visibility of public entrances.

**b. REQUIRED CONSULTANT SERVICES:** The scope of the project includes full architectural/engineering services for the project including predesign, programming; architectural, mechanical, electrical, structural, civil, landscape architectural, and interior design; scheduling, cost estimating, construction procurement, and construction administration services. Predesign and programming activities will commence promptly after designer selection. A contract for the other services will be executed after design and construction funds are obtained from the state.

**c. PROJECT BUDGET/FEES:** The construction budget has not been established and will be developed during the predesign process, but is expected to be approximately \$1.5 million. The total project budget, including all fees, permits, and other non-construction costs, is expected to be approximately \$2 million. Design fees will be negotiated with the selected consultant when construction funding is secured.

**d. SPECIAL CONSIDERATIONS:** The design team shall have applicable prior experience in the design and construction of similar projects, preferably in a research University setting. Specific experience should include:

- Design of sustainable buildings and the incorporation of green building concepts into existing buildings
- Design of flexible office environments planned for changing staff and program needs
- Accurate cost estimating at all phases of project planning and design
- Involvement with and direction of diverse building advisory committees

Respondents shall provide examples of recently completed projects for review by the selection committee, and a list of clients for similar projects worked on within the last five years along with the names, phone numbers and addresses of contact persons.

Selection will be based on:

- The qualifications of the entire project team, including all sub-consultants
- The organization and management structure of the design team, and past working relationships of individual members
- The quality of experience by team members on comparable projects
- The team's understanding of the project requirements and its approach to addressing them
- The team's ability to manage successful projects within the established scope of work, schedule, and budget

**e. PROJECT SCHEDULE:** Programming and predesign work will commence promptly after a contract is successfully negotiated and must be completed by September 1, 2005. Schematic design, design development, contract documents, construction procurement, and construction administration services will occur after construction funding is obtained, anticipated in May 2006. If funded by the legislature, construction is expected to commence in Spring 2007.

**f. PROJECT BACKGROUND INFORMATION:** The preliminary project information, maps, photos and existing building floor plans are available on line at: <http://www.cppm.umn.edu>

**g. PROJECT INFORMATIONAL MEETING (S) /SITE VISIT (S):** A pre-proposal meeting and building tour will be held in the Administration Building on the West Central Research & Outreach Center, Morris, Minnesota, on Monday, April 11, 2005 at 1:00 pm. Directions to the WCROC are posted at: <http://www.cppm.umn.edu>. In the event that the location, date, or time of this meeting is changed, changes will also be posted on the website.

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

*Project Proposals Due:*

**Monday, April 18, 2005, by 1:00 p.m.**

*Project Shortlist:*

**Tuesday, May 3, 2005**

*Project Information Meeting for Shortlisted firms:*

**To be Set by user agency**

*Project Interviews and Award:*

**Tuesday, May 17, 2005**

## i. PROJECT CONTACT (S):

Charles K. Koncker, AIA  
**Phone:** (612) 624-0828  
**Fax:** (612) 625-0770  
**E-mail:** *konckerc@facm.umn.edu*

**j. FINAL SELECTION PROCEDURE:** In accordance with *Minnesota Statute 16B.33 subd.3a(c)*, the SDSB will provide two (2) finalists to the University. Representatives of the University will meet with each of the lead firms to discuss their approach, preliminary work plan, and fee structure before making the final selection of the firm with which a contract will be negotiated.

## 2. PROPOSAL REQUIREMENTS

- a. 14 copies
- b. 8 ½ X 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

## 3. PROPOSAL CONTENTS

### a. COVER

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

### b. COVER LETTER

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

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

### c. INFORMATION ON FIRM (S)

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

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

### d. PROJECT TEAM

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

For each team member provide:

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

### e. TEAM ORGANIZATION

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

### f. PROJECT EXPERIENCE

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

- Photographs, sketches and/or plans

# State Contracts

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

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

## **g. APPROACH/METHODOLOGY**

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

## **h. UNIQUE QUALIFICATIONS**

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

## **i. OTHER REQUIREMENTS**

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

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

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

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

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

## **4. SELECTION CRITERIA**

In making its selection of designers the Board considers the criteria stated in Section 1, project description and the following, which are derived from *Minnesota Statutes* 16B.33 Subd. 4(f) and *Minnesota Rule* 3200.0700. The order of the criteria does not imply priority, nor are they necessarily weighted equally.

- a. Qualifications and technical competence in the required field of design. This is demonstrated by experience of the proposed team on similar projects.
- b. Ability to deal with aesthetic factors. This is demonstrated by experience of proposed team on similar projects.

c. Availability of appropriate personnel and capacity to accomplish the work within the required constraints. This is demonstrated by the organization and work plan of the project team and commitment to assign and support the team members proposed.

d. Understanding of the constraints and issues affecting the proposed project. This is demonstrated by the team's proposal and discussion in the interview.

e. Leadership, integration and cohesiveness of the proposed team. This is demonstrated by the team dynamics, previous experience of the team working together and by the leadership style shown in the interview.

f. Approach/methodology of the proposed team. This is demonstrated by the proposed team's discussion in the proposal and in the interview.

g. Unique qualifications of the proposed team. This is demonstrated by qualifications of the proposed team that sets it apart from other teams.

h. Past performance of the team on projects for the state or others. Unsatisfactory performance must be documented in writing from the Commissioner of Administration, the University of Minnesota or Minnesota State Colleges and Universities based on criteria set forth in *Minnesota Statutes* 16B.33 Subd 4(f).

i. The compatibility between the proposed team and the project stakeholders. This is measured by the stakeholders' perception of the style demonstrated at the interview as well as previous positive working relationships.

The following 'fairness' factors are also considered in accordance with *Minnesota Rule* 3200.0700:

j. Geographic relationship of the designer's base to the project site. This is demonstrated by the location of the prime firm and/or its consultants with respect to the project site.

k. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions. Consideration is given to all state work awarded (by executed contract) to the prime firm during the past four years prorated based on the number of employees in the Minnesota office(s) of the prime firm.

## 5. CONTRACT REQUIREMENTS

### a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on Web Site:

<http://www.dsbcc.admin.state.mn.us> , click on forms.

### b. CONFLICTS OF INTEREST

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

### c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State. The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

### d. CONTINGENCY FEES PROHIBITED

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

### e. ORGANIZATIONAL CONFLICTS OF INTEREST

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render

# State Contracts

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impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

## **f. STATE EMPLOYEES**

In compliance with *Minnesota Statutes* § 16C.08 Subd. 2. (b) (1), the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

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

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

## **h. HUMAN RIGHTS REQUIREMENTS**

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

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

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

## **Colleges and Universities, Minnesota State (MnSCU) Request for Proposal (RFP) for Consultant Services for State-Wide Roof Predesign Reports**

The Minnesota State Colleges and Universities, acting on as the owner for the State of Minnesota, is soliciting proposals for experienced Consultant Services to provide initial and updated roofing predesign reports for 2005. The Consultant will provide roof predesign reports for 2005 with the option to renew. Reports will cover both academic and revenue buildings at most of the 53 campus locations.

A full Request for Proposal is available on the Minnesota State Colleges and Universities website: [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu), click on "Solicitation Announcements".

A mandatory project informational meeting has been scheduled for 1:30 PM, Thursday, April 7, 2005, at Minnesota State Colleges and Universities, Office of the Chancellor, Conference Room B, Fourth Floor, Wells Fargo Place. Contact James P. Morgan, (651) 296-3823 or e-mail at [James.morgan@so.mnscu.edu](mailto:James.morgan@so.mnscu.edu) to sign up for the meeting.

Proposals must be delivered to James P. Morgan, Program Manager, Office of the Chancellor, 500 Wells Fargo Place, 30 East Seventh Street, St. Paul, MN 55101, not later than **2:00 PM, Tuesday, April 19, 2005**. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its' best interest.

**Colleges and Universities, Minnesota State (MnSCU)****Hennepin Technical College****Notice of Request for Proposals for Conducting a Physical Security Survey of Two Campuses**

**NOTICE IS HEREBY GIVEN** that Hennepin Technical College is seeking proposals for conducting a physical security survey of HTC's two campuses located at Brooklyn Park and Eden Prairie, Minnesota. Work consists of conducting the survey, providing a written and oral report of findings and recommendations, and creating the basis for RFP's to provide for the physical security deemed appropriate.

Deadline for receipt of proposals: **April 15, 2005 -- 4:00 p.m.**

Copies of the Request for Proposal are available from:

Larry McAtee, Hennepin Technical College  
1820 Xenium Lane N.  
Plymouth, MN 55441  
**Telephone:** (763) 550-7143  
**Fax:** (763) 550-7198  
**E-mail:** [lgmcatee@int287.k12.mn.us](mailto:lgmcatee@int287.k12.mn.us)

This request for proposals does not obligate the state/college to complete the proposed project and the state/college reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Department of Corrections****Notice of Request for Proposals (RFP) for Non-Compensated Services for Faith-Based Pre-Release Program at the Minnesota Correctional Facility-Lino Lakes**

The Minnesota Department of Corrections (DOC) is requesting proposals for providing non-compensated services for a faith-based pre-release program to the Minnesota Correctional Facility – Lino Lakes (MCF-LL). The DOC is seeking a vendor who, at substantially its own expense, will provide a faith-based pre-release program with a community reintegration component. The DOC will provide housing, food, clothing, office equipment, program areas, office space, security, and other materials that are provided to general population inmates confined at the MCF-LL. The vendor will provide all program personnel, including clerical, instructional, counseling, and administrative, and all instructional and consumable materials required for the program.

While the vendor may utilize either secular or sectarian-based values in its program, any minimal funding provided by the DOC may be used for only those aspects of the program that are secular. No DOC funds may be used relative to the provision of any religious instruction or materials. The vendor in its proposal must describe any components of its program for which it seeks minimal funding from the DOC and how the expenditure of such funds would be solely related to secular services.

It is expected that this contract period will be for 24 months effective July 1, 2005.

Potential responders interested in submitting a proposal on this project should call, write, e-mail, or fax a request for the full RFP, which will be sent free-of-charge to interested vendors. Proposals must be submitted to the department contact listed below. Other department and state personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline.

Proposals must be received by the contact person listed below no later than **2:30 p.m. CDT, May 23, 2005.**

Steve Hokanson, Program Director  
Minnesota Department of Corrections  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
**Phone:** (651) 717-6543  
**Fax:** (651) 717-6104  
**E-mail:** [shokonso@ll.doc.state.mn.us](mailto:shokonso@ll.doc.state.mn.us)

# State Contracts

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## 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](http://www.dot.state.mn.us/consult).

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

## Department of Transportation

### Program Management Division

#### Office of Aeronautics

#### Notice of Availability of Contract for Navigation Systems Technicians

The Minnesota Department of Transportation is requesting proposals for the purpose of maintaining its aviation navigation systems located at airports throughout the State. FAA certification on at least one of the following is required: Wilcox Mark 10 ILS, ASI 2100 ILS, ASI 1150 VOR, ASI 1138 DME, Wilcox 476 VOR, Cardion 9467 VOR, Aerocom 5351A DME, Aerocom 5321 NDB, Aerocom 5401B NDB, Viasala AWOS, Viasala runway surface sensor, or remote communications outlet.

Work is proposed to start after July 1, 2005 through June 30, 2007.

A Request for Proposals will be available by mail from this office through April 21, 2005. **A written request (by direct mail or fax)**

**is required to receive the Request for Proposal.** After April 21, 2005 the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Robert Milton  
Office of Aeronautics  
222 East Plato Blvd., MS 410  
St. Paul, MN 55107  
**Telephone:** (651) 296-9250  
**Fax:** (651) 297-5643

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **12:00 P.M., Central Time, April 21, 2005. 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.

## 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 - Metro Transit Sealed Bids Solicited for Bus Batteries

The Metropolitan Council is soliciting sealed bids for Bus Batteries. Bids are due at **2:00 p.m. on April 28, 2005.** Bids must be submitted in accordance with the Invitation for Bids document available from:

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

## University of Minnesota

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

The University of Minnesota offers 24 hour/day, 7day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are \$75/year. Visit our website at [bidinfo.umn.edu](http://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, Minneapolis, Minnesota 55454.

# Non-State Contracts & Grants

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## University of Minnesota

### Request for Qualifications for Consultant to Provide Environmental Engineering Design and Consulting Services for Proposed TCF Banks Stadium on Twin Cities Campus

#### I. NOTICE OF REQUEST FOR QUALIFICATIONS

The University of Minnesota is soliciting qualifications for a consultant to provide environmental engineering design and consulting services for the proposed TCF Banks Stadium on the Twin Cities Campus. The scope of the contract will include 1) advisory services to the Office of the General Counsel, 2) technical studies in support of the football stadium Environmental Impact Statement (EIS) process, and 3) Comprehensive Consulting and Design Services Regarding Environmental Response Actions.

The University is proposing to construct a new 50,000-seat open-air football stadium on the East Bank of the Twin Cities campus. The current plan is to locate the stadium on the existing Huron Boulevard parking complex, in close proximity to Mariucci Arena and the Williams Arena/Sports Pavilion complex.

The total project cost is estimated at \$235 million.

E-mail your request for the full RFQ, which will be sent free of charge to interested vendors or download the RFQ from  
<http://www.cppm.umn.edu/rfp.html>.

#### II. CONTACT FOR RFQ INQUIRIES:

Chip Foster  
Purchasing Services  
University of Minnesota  
400 Donhowe Building  
319 15th Ave. SE  
Minneapolis, MN 55455-1082  
**Phone:** (612) 626-6080  
**Fax:** (612) 624-5796  
**E-mail:** [fosterc@facm.umn.edu](mailto:fosterc@facm.umn.edu)

#### III. TENTATIVE SCHEDULE OF EVENTS

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

<i>State Register Advertisement</i>	<b>April 4, 2005 – Monday</b>
<i>RFQ Document Available</i>	<b>April 6, 2005 – Wednesday</b>
<i>Mandatory Pre-Proposal Meeting / Site Visit @ 9 AM</i>	<b>April 14, 2005 – Thursday</b>
<i>All Questions / Inquiries deadline at Noon</i>	<b>April 18, 2005 – Monday</b>
<i>RFQ Response Deadline – Due at 1:00 PM</i>	<b>April 22, 2005 – Friday</b>
<i>Evaluation &amp; Selection of Short-listed Finalists</i>	<b>April 26, 2005 – Tuesday</b>
<i>Respondent Presentations &amp; Negotiations</i>	<b>May 3, 2005 – Tuesday</b>
<i>Contract Award</i>	<b>May 6, 2005 – Friday</b>
<i>Conduct Contracted Work</i>	<b>Spring 2005</b>
<i>Complete Contracted Work</i>	<b>Fall 2008</b>

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

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Healthy Rivers: A Water Course, Year: 2004, Stock No.9-93, Price:\$19.95

Turtles and Turtle Watching for the North Central States, 57 pages, Year: 2004, Stock No.9-92, Price:\$9.95

Field Guide to the Freshwater Mussels of Minnesota, 144 pages, Year: 2003, Stock No.9-90, Price:\$9.95

Lakescaping for Wildlife and Water Quality, 176 pages, Year: 1999, Stock No.9-53, Price:\$19.95

Landscaping for Wildlife, 150 pages, Year 1994, Stock No.9-15, Price:\$10.95

Woodworking for Wildlife, 112 pages, Year: 1992, Stock No.9-14, Price:\$9.95

Twin Cities Bike Map, Year: 2005, Stock No.12-168, Price:\$9.95

Superior National Forest Map, Year: 2003, Stock No.12-48, Price:\$7.50

Minnesota Highway and Recreational Atlas, 183 pages, Year: 2003, Stock No.12-163, Price:\$19.95

Minnesota State Mechanical, Fuel Gas and Plumbing Code, 372 pages, Year: 2004, Stock No.26-13, Price:\$70.00

NEW! Minnesota Contractor's Reference Manual, 372 pages, Year: 2003, Stock No.26-14, Price:\$55.00

National Electrical Code, 772 pages, Year: 2005, Stock No.26-19, Price:\$65.00

Sport Fish of North America Pocket Guide, 136 pages, Year: 2001, Stock No.19-189, Price:\$5.95

Chippewa National Forest Map, Year: 1985, Stock No.12-47, Price: \$4.00

Minnesota Atlas & Gazetteer, 96 pages, Year: 2003, Stock No.12-7, Price:\$19.95

Minnesota Guidebook to State Agency Services, 403 pages, Year: 2004, Stock No.1-1, Price:\$14.95

Strange Days, Strange Nights: Photos From the Speed Graphic Era, 224 pages, Stock No.17-60, Price:\$29.95

Mechanical Code: Minnesota Amendments , 66 pages, Year: 2004, Stock No.3-65, Price:\$8.95

Abundantly Wild: Collecting and Cooking Wild Edibles in the Upper Midwest, 440 pages, Year: 2004, Stock No.9-101, Price:\$22.95

Dragonflies of the North Woods, 203 pages, Year: 2003, Stock No.9-102, Price:\$18.95

Rock Picker's Guide to Lake Superior's North Shore, 43 pages, Year: 2000, Stock No.9-103, Price:\$9.95

Wildflowers of the BWCA and the North Shore, 105 pages, Year: 2003, Stock No.9-104, Price:\$14.95

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