

State of Minnesota

# State Register



**Rules, Executive Orders, Appointments,  
Commissioners' Orders, Revenue Notices, Official Notices, Grants,  
State Contracts & Loans, Non-State Bids, Contracts & Grants**

Published every Monday (Tuesday when Monday is a holiday)

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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 Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

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# 42	Monday 20 April	Noon Tuesday 14 April	Noon Wednesday 8 April
# 43	Monday 27 April	Noon Tuesday 21 April	Noon Wednesday 15 April
# 44	Monday 4 May	Noon Tuesday 28 April	Noon Wednesday 22 April

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**House Public Information Services** (651) 296-2146  
State Office Building, Room 175,  
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155  
**Website:** [www.house.leg.state.mn.us/hinfo/hinfo.htm](http://www.house.leg.state.mn.us/hinfo/hinfo.htm)

### Minnesota State Court System

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MN Judicial Center, Rm. 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,  
St. Paul, MN 55155 **Website:** [www.mncourts.gov](http://www.mncourts.gov)

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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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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### Department of Agriculture

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## Adopted Rules

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

**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 Agriculture

### Adopted Permanent Rules Relating to Labeling Statements

The rules proposed and published at *State Register*, Volume 33, Number 30, pages 1295-1297, January 26, 2009 (33 SR 1295), are adopted as proposed.

## Executive Orders

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

## Office of the Governor

### Emergency Executive Order # 09-08: Providing for Fire Suppression Assistance to the Minnesota Department of Natural Resources

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

**WHEREAS**, on Monday, April 6, 2009, a wild grassfire was burning in and around the Carlos Avery Wildlife Refuge just west of Forest Lake and continues to do so; and

**WHEREAS**, several hundred acres have already burned and about 10 homes have been evacuated; and

**WHEREAS**, the Minnesota Department of Natural Resources does not have adequate aviation resources for wildfire suppression; and

**WHEREAS**, the DNR has requested air wild grassfire suppression assets from the Minnesota National Guard.

# Executive Orders

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NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about April 6, 2009 in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to assist and support air wild grassfire suppression in and around the Carlos Avery Wild Life Refuge.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in Minnesota Statutes 2008, Sections 192.49, 192.52 and 192.54.

Pursuant to *Minnesota Statutes* 2008, Section 4.035, Subdivision 2, this Emergency Executive Order shall be effective retroactively to April 6, 2009, and will remain in effect until the conclusion of the emergency.

IN TESTIMONY WHEREOF, I have set my hand this 7th day of April, 2009.

Signed: **TIM PAWLENTY**  
Governor

Filed According to Law:

Signed: **MARK RITCHIE**  
Secretary of State

## Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

**KEY:** Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

## Department of Revenue

### Revenue Notice # 09-04: Sales and Use Tax – Revocation of Revenue Notice # 05-07

Revenue Notice # 05-07: Sales and Use Tax – Bad Debts; Deductions of Uncollectible Debts; Applying Payments Received on Previously Claimed Bad Debt, is hereby revoked. There is no need for the revenue notice because *Minnesota Statutes*, section 289A.40, subdivision 2, as amended by 2008 *Minnesota Laws*, Chapter 154, Article 12, Section 1, provides the information included in the revenue notice.

Publication Date: April 13, 2009

ELIZABETH KADOUN, Assistant Commissioner  
for Tax Policy and External Relations  
Minnesota Department of Revenue

## Department of Revenue

### Revenue Notice # 09-05: Sales and Use Tax – Technical Corrections to Revenue Notice # 02-22, Revenue Notice # 04-04, and Revenue Notice # 07-02

This Revenue Notice corrects statutory references cited in previously issued Revenue Notices.

#### NOTICE CITATION IN ORIGINAL NOTICE    CURRENT CITATION

2002-22	<i>Minnesota Statutes</i> § 297A.061, subd. 3(g)(5)(iii)	<i>Minnesota Statutes</i> § 297A.61, subd. 3(g)(6)(iii)
2004-04	<i>Minnesota Statutes</i> § 297A.61, subd. 10a	<i>Minnesota Statutes</i> § 297A.61, subd. 10(a)
2007-02	<i>Minnesota Statutes</i> § 297A.61, subd. 7	<i>Minnesota Statutes</i> § 297A.61, subd. 5

Publication Date: April 13, 2009

ELIZABETH KADOUN, Assistant Commissioner  
for Tax Policy and External Relations  
Minnesota Department of Revenue

## Department of Revenue

### Modification of Revenue Notice # 05-03: Sales and Use Tax – Telecommunications Services – Voice over Internet Protocol (VoIP) Service

This Revenue Notice sets forth the department’s position on the sales tax treatment of Voice over Internet Protocol (VoIP) services.

#### Statutory Authority

*Minnesota Statutes*, section 297A.61, subdivision 3(i), provides that the furnishing for consideration of telecommunications services constitutes a sale or purchase for purposes of the Minnesota sales tax. *Minnesota Statutes*, section 297A.61, subdivision 24, provides that “telecommunications services” means “the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, by or through any electronic, satellite, optical, microwave, or other medium or method now in existence or hereafter devised, regardless of the protocol used for such transmission, conveyance, or routing.”

Paragraph (c)(1)(3) of subdivision 24 provides that telecommunications services do not include “data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser when the purchaser’s primary purpose for the underlying transaction is the processed data or information services which are defined in paragraph (d) of subdivision 24 as “the offering of the capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information.””

#### Department Position

VoIP is a telecommunications service as defined in *Minnesota Statutes*, section 297A.61, subdivision 24 that is subject to the Minnesota state sales and use tax. For purposes of the Minnesota sales and use tax, VoIP is not an information service since it uses computer processing applications solely for the management, control, or operation of a telecommunications system or the management of a telecommunications service. Although VoIP uses Internet protocol that allows the transmission of packeted data across a network, it merely serves to address and route the voice, data, or audio.

Publication Date: May 31, 2005

John H. Mansun, Assistant Commissioner  
for Tax Policy and External Relations

Publication Date: April 13, 2009

ELIZABETH KADOUN, Assistant Commissioner  
for Tax Policy and External Relations  
Minnesota Department of Revenue

## 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.

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- Indexes to Vol. 27 - Vol. 33

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## Minnesota Comprehensive Health Association Notice of Meeting of the Nominating Committee April 20, 2009

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Nominating Committee will be held at 8:30 a.m. on Monday, April 20, 2009. The meeting will take place **via conference call** at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

## Department of Employment and Economic Development Minnesota State Rehabilitation Council Meetings through May 2009

The State Rehabilitation Council will meet on the following dates at the designated location. Meetings are held from 9:00 am to 2:00 pm, with committee meetings frequently held from 1:00 to 2:00. Time for public comment is scheduled at each meeting. **Should changes occur, they will be posted in the State Register.** For more information on the State Rehabilitation Council, please go to

<http://www.deed.state.mn.us/rehab/councils/src/src.htm>

For accommodation requests, please contact the Minnesota Department of Employment and Economic Development at: phone (800) 328-9095; (651) 259-7364 . TTY: (800) 657-3973 or (651) 296-3900.

April 22, 2009  
Radisson Hotel Roseville  
2540 North Cleveland Avenue  
Roseville, MN 55113

9:00 a.m. to 2:00 p.m.  
May 27, 2009  
Radisson Hotel Roseville  
2540 North Cleveland Avenue  
Roseville, MN 55113  
9:00 a.m. to 2:00 p.m.

## Department of Natural Resources

### Division of Fish and Wildlife

#### **CORRECTION TO: Request for Comments on Possible Amendments to and Repeal of Rules Governing Commercial Fishing Operations on Lake Superior and Other Fishing Regulations and Requirements, *Minnesota Rules*, chapters 6260, 6262, 6264, and 6266**

An error appeared in the Official Notices for the Department of Natural Resources relating to the Request for Comments on Possible Amendments to and Repeal of Rules Governing Commercial Fishing Operations on Lake Superior and Other Fishing Regulations and Requirements, *Minnesota Rules*, chapters 6260, 6262, 6264, and 6266, published in the March 30, 2009, *State Register* (33 SR 1703). The correct agency contact number should read:

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rule, and requests for more information on these proposed rules should be addressed to:

Linda Erickson-Eastwood  
Department of Natural Resources  
500 Lafayette Road, Box 20  
St. Paul, Minnesota 55155-4020  
**Telephone:** ~~(651) 296-3325~~ (651) 259-5200 or 1-888-MINNDNR  
**DNR Web Site:** [www.dnr.state.mn.us](http://www.dnr.state.mn.us)

## Minnesota Racing Commission

### **Request for Comments on Possible Amendment to Rules Governing Horse Racing, *Minnesota Rules*, 7869 Definitions; 7870 Licensure**

**Subject of Rules.** The Minnesota Racing Commission requests comments on its possible amendment to rules governing horse racing. The Commission is considering rule amendments that would include compliance with the ADA Amendments Act regarding contract approval and that would update its Affirmative Action rules, 7870.0510.

**Persons Affected.** The amendment to the rules would likely affect Class A, B, & D Licensees and contractors.

**Statutory Authority.** *Minnesota Statutes*, sections 240.19, 240.23, authorize the Racing Commission to review contracts of A, B & D licensees and to promulgate rules governing affirmative action in employment and contracting by these licensees.

**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 Commission intends to adopt or to withdraw the rules. The Commission does not contemplate appointing an advisory committee to comment on the possible rules.

**Rules Drafts.** The Commission has prepared a draft of the possible rules amendments.

# Official Notices

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**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
P. O. Box 630  
Shakopee, MN 55379  
**Phone:** (952) 496-7950  
**Fax:** (952) 496-7954  
**E-mail:** [richard.krueger@state.mn.us](mailto:richard.krueger@state.mn.us).  
TTY users may call the Commission at 800-627-3529.

**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 if and 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: March 18, 2009

Richard G. Krueger, Executive Director  
Minnesota Racing Commission

## 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.

## Applying for Grants

Have you checked up on all the “active” state grants? Only for *State Register* subscribers is a “Contracts & Grants” section available that lists all grants and contracts open for bid. Open the *State Register* and click on Bookmarks in the upper left corner. You will see a list of ALL the current rules, with an INDEX, and previous years’ indices, as well as a list of all contracts and grants open for bid. Subscribe and receive LINKS to the *State Register*. You also receive Subscriptions cost \$180 a year (an \$80 savings). Here’s what you receive via e-mail:

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### Minnesota Department of Human Services

#### Deaf and Hard of Hearing Services Division

#### CORRECTION ON PROPOSAL SUBMISSION OF RFP GRANT

**Correction to Number of copies and size of print: RESPONDER MUST SUBMIT ONE (1) ORIGINAL AND SIX (6) COPIES OF THE PROPOSAL. ONE COPY MUST BE SUBMITTED IN 16-POINT FONT.**

#### **Request For Proposal (RFP) to Provide Administrative and Fiscal Support Services to Maintain a DeafBlind Consumer Directed Services Program**

The Minnesota Department of Human Services (DHS), through its Deaf and Hard of Hearing Services Division (DHHSD), is seeking Proposals from qualified Responders to function as the financial support entity to administer the grant funding for their Deafblind Consumer Directed Services Program. As a financial support entity, the responder for these services would act as an umbrella organization that can offer a range of financial management services.

To request a full text of the RFP please contact:

Deb L. A. Olson  
Deaf and Hard of Hearing Services Division  
Minnesota Department of Human Services  
P.O. Box 64969  
St. Paul, MN 55164-0969  
**Phone:** (651) 431-2360  
**TTY:** 1-888-206-6501  
**E-mail:** *deb.olson@state.mn.us*

**The proposal due date is May 15, 2009, 4:00 p.m. Central Time.** Late proposals will not be considered. Faxed or email proposals will not be considered. This request does not obligate the State to complete the work contemplated in this notice or spend the estimated dollar amount. The State reserves the right to cancel this solicitation.

Other department personnel are NOT allowed to discuss this RFP with anyone, including responders, before the proposal submission deadline.

### Minnesota Department of Human Services

#### Managed Care and Payment Policy Division

#### **Notice of Request for Proposals for Statewide Procurement of the Minnesota Senior Health Options (MSHO) Program and Procurement of Special Needs Basic Care (SNBC) for Specific Counties**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services, through its Managed Care and Payment Policy Division (State), is seeking proposals from qualified managed care organizations (MCOs) sponsoring Medicare Advantage Special Needs Plans (SNPs) to provide prepaid health care and long-term care services to persons who are eligible for Medicare and Medical Assistance under Minnesota Senior Health Options (MSHO) and to persons who are eligible for Medicaid under Minnesota Senior Care Plus (MSC+), and/or Special Needs Basic Care (SNBC) in: Carlton, Cook, Koochiching, Lake, and Saint Louis counties. **MCOs that currently provide MSHO, MSC+, or SNBC in these counties do NOT need to respond to this RFP.**

MSHO and SNBC health plans are SNPs contracting with the STATE for the provision of prepaid health care and home and community-based services under the MSHO program and prepaid health care under the SNBC program. SNPs provide integrated Medicare and Medicaid services to eligible Medical Assistance (MA) enrollees in Minnesota. The STATE is requesting proposals for

# State Grants & Loans

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continued and expanded MSHO services and expanded SNBC services.

A Request for Proposals will be available by accessing the Department of Human Services public website after 12:00 noon (CST) on April 13, 2009, at:

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_000102](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102).

To obtain a paper copy of the RFP, please print a copy from the website. If you have problems downloading the RFP, contact Cindy Czech at: [cindy.czech@state.mn.us](mailto:cindy.czech@state.mn.us) or call (651) 431-2514.

Information submitted in response to the Request for Proposals in this notice must be received by 4:00 p.m. (CDT) on May 12, 2009, addressed as follows:

Attention: Cara Bailey  
Managed Care and Payment Policy Division  
Department of Human Services  
444 Lafayette Road N.  
St. Paul, MN 55155  
**Phone:** (651) 431-2515

Late information will not be considered and will be returned unopened to the submitting party. **Faxed or e-mailed information will not be accepted.**

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.

## Sustainable Resources Center Notice of Intent to Request Release of Funds

On or about April 21<sup>st</sup>, 2009 the Sustainable Resources Center will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Operation Lead Elimination Action Program, with funding authorized by the Consolidated Appropriations Act of 2008, Public Law 110-161 for the following multi-year program/project: Sustainable Resources Center LEAP Program for the purpose of Lead Hazard Control in conjunction with household weatherization in Hennepin, Ramsey, Dakota, Anoka and Washington counties. The Sustainable Resources Center is requesting the release of \$1,541,107 in Federal Assistance with a match of \$377,910, for the period of 10/1/2008 through 9/30/2011.

The proposed hazard control activities to be funded under this/these program(s) is/are categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at § 58.5 of 24 CFR Part 58. In accordance with §58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target area(s) listed above. Other applicable environmental laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target area(s) has/have been studied and compliance with the following laws and authorities have been established in this Tier 1 review: Floodplain Management, Coastal Barriers Resource Act, and Coastal Zone Management Act. In the Tiered 2 review, compliance with the following environmental laws and authorities will take place for proposed projects funded under the program(s) listed above: Historic Preservation, National Flood Insurance Program requirements, Explosive & Flammable Operations, toxics/hazardous materials. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at §58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant Impact and Request for Release of Funds published. Copies of the compliance documentation worksheets are available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at the Sustainable Resources Center, 1081 10<sup>th</sup> Avenue SE, Minneapolis, MN 55414 and may be examined or copied weekdays 10a.m. to 3p.m.

## Public Comments

Any individual, group, or agency may submit written comments on the ERR to the Sustainable Resources Center. All comments received by April 21st, 2009 will be considered by Sustainable Resources Center prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

## Release of Funds

The Sustainable Resources Center certifies to HUD that Dave Hovet in his official capacity as Director of Finance, Minnesota Department of Health, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Sustainable Resources Center to utilize federal funds and implement the Program.

## Objections to Release of Funds

HUD will consider objections to its release of funds and the Sustainable Resources Center certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the Sustainable Resources Center (b) the Sustainable Resources Center has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the Sustainable Resources Center has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58), and may be addressed to HUD as follows: Edward Thomas, Office of Healthy Homes and Lead Hazard Control Program Environmental Clearance Officer, U.S. Department of Housing and Urban Development, The Wanamaker Building, 12<sup>th</sup> Floor, 100 Penn Square East, Philadelphia, PA 19107-3380. Potential objectors may contact HUD to verify the actual last day of the objection period.

### Grantee:

Sustainable Resources Center  
1081 10<sup>th</sup> Ave SE  
Minneapolis, MN 55414  
Project Director: Daniel Wiersgalla

### Responsible Entity/Certifying Official:

Dave Hovet, Dir. of Finance  
Minnesota Department of Health  
625 Robert St. N., PO Box 64975  
St. Paul, MN 55164

# 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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## Subscribe to the *State Register*

A summarized "Contracts & Grants" section lists **all contracts and grants** currently open for bid. It is available **only to subscribers** to the *State Register*. Subscribers also receive LINKS to the *State Register*, as well as Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. Here's what you receive via e-mail:

- **Word Search Capability**
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- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
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- **Indexes to Vols. 31, 30, 29, 28 and 27**

Subscriptions cost \$180 a year (an \$80 savings). It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [cathy.hoekstra@state.mn.us](mailto:cathy.hoekstra@state.mn.us)

## Minnesota State Colleges and Universities (MnSCU)

### Board of Trustees

### Notice of Request for Information (RFI) for Architectural, Owner's Representative, Real Estate and Other Related Professional and Technical Services for a Master List of Consultants

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests information of Minnesota registered consultants, as appropriate, to assist MnSCU in providing Architectural/Engineering, Owner Representative, Real Estate and other related Professional and Technical services as needed for up to a four-year period. Projects will vary in scope and may involve due diligence services, new construction, remodeling, commissioning, site and utility work, facilities, roads and grounds, and land development.

The Request for Information documents can be found online at: [www.finance.mnscu.edu/facilities/index.html](http://www.finance.mnscu.edu/facilities/index.html) under Announcements. This RFI is to permit a consultant to be added to the current MnSCU Master List of Consultants. The consultants currently on the List do not need to respond to this RFI. The current List can be viewed at [www.finance.mnscu.edu/facilities/design-construction/index.html](http://www.finance.mnscu.edu/facilities/design-construction/index.html) and click on "Master List of Facilities Professional/Technical Consultants".

If unable to access the RFI electronically, copies of the RFI may also be requested from:

Nancy Marandola - Minnesota State Colleges & Universities  
**Phone:** (651) 297-7862, or  
**E-mail:** [Nancy.marandola@so.mnscu.edu](mailto:Nancy.marandola@so.mnscu.edu)

Proposals must be delivered to: Minnesota State Colleges & Universities  
ATTN: Facilities Design and Construction

Wells Fargo Place  
30 Seventh Street East, Suite 350  
St. Paul, Minnesota 55101-7804

Proposals must be received NOT later than May 8, 2009 at 12:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in MnSCU's best interest. The RFI is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Master List of Consultants program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota State Colleges and Universities (MnSCU) Central Lakes College Sealed Bids Sought for Brainerd Dental Lab and Community Clinic

**Sealed Bids for:** **Central Lakes College**  
Brainerd Dental Lab & Community Clinic  
Minnesota State Colleges and Universities  
Brainerd, Minnesota

**will be received by:** **Kari Christianson**  
Room C212  
Central Lakes College, 501 West College Drive  
Brainerd, Minnesota 56401

Until **2:00 PM**, local time, **Tuesday, April 28, 2009** at which time the bids will be opened and publicly read aloud in room W221.

**Project Scope:** Total renovation of approximately 4,500 square feet to create a new dental instruction area and community clinic.

**A Pre-Bid Meeting** will be held at 2:00 PM, Thursday, April 16, 2009 in room W221, Brainerd Campus, Central Lakes College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

**Bidding Documents** as prepared by the Project Architect/Engineer, Architecture One, are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: St. Paul, Minneapolis, St. Cloud, Duluth, Fargo-Moorhead
- 3) McGraw Hill Construction Plan Room
- 4) MEDA Minority Contractors Plan Room
- 5) National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Architecture One  
311 South 8<sup>th</sup> Street  
Brainerd, Minnesota 56401  
Phone: (218) 829-0525

A deposit of \$50.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send payment (check made out to the Architect) to the Architect. Such deposits and payments may be sent prior to April 3, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

# State Contracts

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Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

## **Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Sealed Bids Sought for Soccer Scoreboards**

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive sealed bids for Soccer Scoreboards. Bid specifications will be available April 6, 2009 via e-mail request to: *Patricia.Adams@dctc.edu* or telephone request to Pat Adams at 651-423-8236. Sealed bids must be received by 2:00 PM, April 20, 2009 at the following location:

Pat Adams, Buyer  
Dakota County Technical College  
1300 145<sup>th</sup> St. E  
Rosemount, Mn 55068

Dakota County Technical College reserves the right to reject any or all bids and to waive any irregularities or informalities in proposals received. The College further reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Notice of Request for Proposal for an Exclusive Cold Beverage Partnership and Beverage Vending**

**NOTICE IS HEREBY GIVEN** that Rochester Community and Technical College Request for Proposal (RFP) for an Exclusive Cold Beverage Partnership and Beverage Vending.

To receive a copy of the RFP, send an e-mail to *june.meitzner@roch.edu* or fax your request to (507) 285-7104.

Proposals are due back by Monday, May 18<sup>th</sup>, 2009, 4:00 CDT and are to be addressed to June Meitzner, Rochester Community and Technical College, 851 - 30th Ave. S.E., Rochester, MN 55904.

Faxes are not acceptable. Late responses will not be considered.

Any question should be in a form of an RFI and directed to June Meitzner: *June.meitzner@roch.edu*

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel this solicitation.

## **Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Proposals for an Exclusive Beverage Pouring Rights Contract**

**NOTICE IS HEREBY GIVEN** that Winona State University is seeking proposals for an Exclusive Beverage Pouring Rights contract.

Proposal specifications are available Monday, April 13, 2009 by contacting the Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail: [sschmitt@winona.edu](mailto:sschmitt@winona.edu) or by calling (507) 457-5067.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 PM CST Monday, April 27, 2009.

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

## **Minnesota Historical Society (MHS) Request for Information for Search Engine Replacement**

The Minnesota Historical Society (Society) is seeking information from qualified firms to validate the Society's roadmap and to gather information, including cost estimates, that can help us focus on a subset of possible solutions for content ingestion and search, as a precursor to the eventual Request for Proposal (RFP) process.

Since September 2006, the MHS has been building a regional network known as the Great Rivers Network (GRN) ([www.greatriversnetwork.org](http://www.greatriversnetwork.org)) that will integrate access to the collections of diverse institutions and facilitate resource discovery. It is now looking for ways to

- Enhance its capabilities through more robust, standards based, integrated systems that utilize best of breed solutions;
- Increase the quality and quantity of available digital content, in partnership with a variety of institutions;
- Sustain the infrastructure through the use of solutions based on open standards; and
- Ensure the necessary financial base by creating a demand for valued products that will result in ongoing funding and by offering particular goods and services that will provide direct financial underwriting.

The Request for Information is available from Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society via e-mail: [mary.green-toussaint@mhhs.org](mailto:mary.green-toussaint@mhhs.org).

Submittals must be received by **2:00 p.m. Local Time on Thursday, May 14, 2009**. Late submittals will not be considered.

Dated: **APRIL 13, 2009**

## **Minnesota Historical Society (MHS) Notice of Request for Bids for PRINTING SERVICES – *Legendary Homes of Lake Minnetonka***

The Minnesota Historical Society, on behalf of the Minnesota Historical Society Press/Borealis Books, is seeking bids from qualified firms for the printing of the book entitled *Legendary Homes of Lake Minnetonka* (4,000 + additional 500s + 700 jackets).

The schedule is as follows:

# State Contracts

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- May 15, 2009 - all to printer
- September 1, 2009 - finished books at the Society's warehouse and Press.

Sealed bid estimates must be received by Kathryn Ludwig, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102-1906 on Tuesday, May 5, 2009 at 2 p.m. Local Time. A public bid opening will be conducted at that time. No late bids will be accepted.

The Request for Bids is available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society via e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

Dated: April 13, 2009

## Minnesota Management & Budget Notice of a Request for Proposal for Financial Advisory Services for Various General Obligation and Revenue Bonding Program and Certain Lease Purchase Programs Issued by the State of Minnesota

The Minnesota Management & Budget (MMB) is responsible for managing the issuance of general obligation debt of the state of Minnesota, as well as certain lease purchase and revenue bond programs. The purpose of this procurement is to select one or more financial advisors to assist MMB in carrying out these duties and to provide advisory services on a broad range of issues on the area of debt issuance and public finance.

A complete Request for Proposal is available on our website of: <http://www.mmb.state.mn.us/fin/bonds> Or you may call or write:

Susan E. Gurrola  
Treasury Division  
658 Cedar Street – 4<sup>th</sup> Floor  
St. Paul, MN 55155  
**Phone:** (651) 201-8046  
**E-mail:** [sue.gurrola@state.mn.us](mailto:sue.gurrola@state.mn.us)

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

Deadline for submission of the RFP Response is no later than **2:00 PM, CDT Friday, May 1, 2009**.

This request does not obligate the State to complete a negotiated bond transaction as 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.

## Minnesota Department of Natural Resources (DNR) Notice of Hearing on Sale of State Land in Morrison County

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, in the conference room at the DNR Area Office, 940 Industrial Drive, Suite 103, Sauk Rapids, Minnesota, on May 1, 2009 at 10:30 a. m.

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Morrison, and described as:

That part of the East Half of the Northeast Quarter of Section 4, Township 39 North, Range 31 West, Morrison County, Minnesota,

described as follows:

Beginning at the southwest corner of said East Half of the Northeast Quarter; thence North 00 degrees 40 minutes 34 seconds West, bearing based on Morrison County NAD83, 1996 adjusted coordinate system, 2044.91 feet along the west line of said East Half to a ¾ inch rebar with plastic cap stamped "MN DNR LS 16098" (DM); thence South 82 degrees 00 minutes 09 seconds East 75.13 feet to a DM; thence South 00 degrees 14 minutes 58 seconds East 2033.86 feet to the south line of said East Half to a DM; thence South 89 degrees 31 minutes 14 seconds West, along said south line, 59.12 feet to the point of beginning. Containing 3.1 acres, more or less.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of Crane Meadows Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a private sale to the adjacent landowner to resolve an unintentional trespass. This parcel is no longer needed for resource management purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Jodi Dehn at (651) 259-5391 or [Jodi.Dehn@dnr.state.mn.us](mailto:Jodi.Dehn@dnr.state.mn.us).

Dated: 6 April 2009

Kathy A. Lewis, Assistant Director  
Division of Lands and Minerals  
Department of Natural Resources (DNR)

## Department of Public Safety Bureau of Criminal Apprehension – Forensic Science Services Request for Proposals (RFP) for Laboratory Information Management System (LIMS)

The Bureau of Criminal Apprehension (BCA), Forensic Science Services requests proposals for the purchase of a Commercial-off the shelf Laboratory Information Management System (LIMS) for the DNA/ Serology section. The System must be able to track an evidence specimen from its reception to the full import export integration with Combined DNA Index System (CODIS), and fully meet all requirements under present American Society of Crime Laboratory Directors-Laboratory Accreditation Board (ASCLD-LAB) and International Organization of Standards (ISO) accreditation requirements.

Work on the contract is anticipated to begin on or around May 11, 2009 and end on September 30, 2009.

Details are contained in a complete RFP, which may be obtained by mail or fax from this office through April 23, 2009. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** The Request for Proposal can be obtained from:

Sue Maniak  
BCA Forensic Science Service  
1430 Maryland Avenue  
Saint Paul, MN 55106  
**Fax:** (651) 793-2901

All questions concerning this RFP should be emailed and received by Sue Maniak; [sue.m.maniak@state.mn.us](mailto:sue.m.maniak@state.mn.us). Deadline for submitting and accepting questions will be April 20, 2009 at 2:00 p.m. Central Daylight Time (CDT). Responses to all questions and answers will be emailed to all entities/individuals requesting a complete RFP by the end of business day April 23, 2009. Final date for submitting responses to the Request for Proposals in this advertisement must be received at the address above no later than April 28, 2009 at 2:00 p.m. Central Daylight Time (CDT). **Late proposals will NOT be considered.** Fax or emailed 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.

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to 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 for application. Applications are accepted on a continual basis. All expenses are 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 applications forms are available on Mn/DOT’s Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680

## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

**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. Mn/DOT is also posting notices as required by the Taxpayers’ Transportation Accountability Act on the above referenced website.

## Non-State Bids, 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 Contracting Opportunities

The Metropolitan Council posts all notices of Requests for Proposals (RFP) and Invitations for Bids (IFB) for all of its divisions on its website: <http://www.metrocouncil.org> (see **Doing Business with the Council, Contracting Opportunities**). Project-specific instructions for obtaining the solicitation documents are provided in each notice.

If you have any questions regarding this advertisement, or need assistance accessing the notices, please contact: Miriam, for Metropolitan Council projects, at (651) 602-1095 or [miriam.lopez-rieth@metc.state.mn.us](mailto:miriam.lopez-rieth@metc.state.mn.us); or Candace, for Metro Transit projects, at (612) 349-5070 or [candace.osiecki@metc.state.mn.us](mailto:candace.osiecki@metc.state.mn.us).

## University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. 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 also available to the public 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.

# Minnesota's Bookstore

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