

State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
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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- Withdrawn Rules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
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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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## 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 Commerce

### Adopted Permanent Rules Governing Military Sales Practices

The rules proposed and published at *State Register*, Volume 34, Number 4, pages 111-117, July 27, 2009 (34 SR 111), are adopted with the following modifications:

#### 2753.0600 PRACTICES DECLARED FALSE, MISLEADING, DECEPTIVE, OR UNFAIR REGARDLESS OF LOCATION.

Subpart 1. **Corrupt practices, improper influences, or inducements.** The following acts or practices by an insurer or insurance producer constitute corrupt practices, improper influences, or inducements and are declared to be false, misleading, deceptive, or unfair:

A. Submitting, processing, or assisting in the submission or processing of any allotment form or similar device used by the United States armed forces to direct a service member's pay to a third party for the purchase of life insurance, including, ~~but not limited to~~; using or assisting in using a service member's "MyPay" account or other similar Internet or electronic medium for these purposes. This subpart does not prohibit assisting a service member by providing insurer or premium information necessary to complete any allotment form.

Subp. 2. **Confusion regarding source, sponsorship, approval, or affiliation.** The following acts or practices by an insurer or insurance producer lead to confusion regarding source, sponsorship, approval, or affiliation and are declared to be false, misleading, deceptive, or unfair:

A. Making any representation, or using any device, title, descriptive name, or identifier that has the tendency or capacity to confuse or mislead a service member into believing that the insurer, insurance producer, or product offered is affiliated, connected, or associated with, endorsed, sponsored, sanctioned, or recommended by the United States government, the United States armed forces, or any state or federal agency or government entity. Examples of prohibited insurance producer titles include, ~~but are not limited to~~; "Battalion Insurance Counselor," "Unit Insurance Advisor," "Servicemen's Group Life Insurance Conversion Consultant," or "Veteran's Benefits Counselor." Nothing in this subpart prohibits a person from using a professional designation awarded after the successful completion of a course of instruction in the business of insurance by an accredited institution of higher learning. Such designations include, ~~but are not limited to~~,

# Adopted Rules

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Chartered Life Underwriter (CLU), Chartered Financial Consultant (ChFC), Certified Financial Planner (CFP), Master of Science in Financial Services (MSFS), or Master of Science Financial Planning (MS).

Subp. 6. **Sale of certain life insurance products.** The following acts or practices by an insurer or insurance producer with respect to the sale of certain life insurance products are declared to be false, misleading, deceptive, or unfair:

B. Offering for sale or selling a life insurance product which includes a side fund to a service member in pay grades E-4 and below who is currently enrolled in SGLI, is presumed unsuitable unless, after the completion of a needs assessment, the insurer demonstrates that the applicant's SGLI death benefit, together with any other military survivor benefits, savings and investments, survivor income, and other life insurance are insufficient to meet the applicant's insurable needs for life insurance.

(2) "Other military survivor benefits" include, ~~but are not limited to:~~ the death gratuity, funeral reimbursement, transition assistance, survivor and dependents' educational assistance, dependency and indemnity compensation, TRICARE health care benefits, survivor housing benefits and allowances, federal income tax forgiveness, and Social Security survivor benefits.

D. Excluding individually issued annuities, offering for sale or selling any life insurance contract which after considering all policy benefits, including ~~but not limited to~~ endowment, return of premium, or persistency, does not comply with standard nonforfeiture law for life insurance.

## Department of Health (MDH) Adopted Permanent Rules Relating to WIC Program Funds

The rules proposed and published at *State Register*, Volume 33, Number 48, pages 1950-1965, June 01, 2009 (33 SR 1950), are adopted as proposed.

# 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 Department of Natural Resources (DNR) Commissioner's Order: Fees for Writing and Registering Forest Stewardship Plans

**Effective Date: November 23, 2009**

**Statutory authority: *Minnesota Statutes*, section 88.79, subd. 2**

**Supercedes: Not applicable**

**WHEREAS**, the Department of Natural Resources provides forest landowners professional forest management through foresters and natural resource managers; and

**WHEREAS**, Minnesota's forest landowners can choose to receive a sponsored plan or contract directly with a forester for a stewardship plan; and

**WHEREAS**, a sponsored plan is defined as a forest stewardship management plan, that's written by an approved stewardship plan writer, where the landowner pays a portion of the plan cost and federal funds, when available, pay a portion of the plan cost; and

**WHEREAS**, a contracted plan is defined as a forest stewardship management plan, that's written by an approved stewardship plan writer, where the landowner pays the entire cost of the plan; and

**WHEREAS**, there is strong demand for forest management from Minnesota's private forest landowners.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, section 88.79, subdivision 2, the following order describes the fees private landowners will be charged when the Department of Natural Resources Forest Stewardship Program provides them a forest stewardship plan or when a landowner registers a contracted stewardship plan.

### **Preparation Fee for a Sponsored Forest Stewardship Plan**

The sponsored plan preparation fee is based on the number of acres the landowner chooses to include in their stewardship plan. The cost of the sponsored plan will be subsidized with federal grant dollars, when available, to reduce the cost for the landowner. The minimum fee will be \$230 for a 20 acre stewardship plan. Each acre over 20 will cost an extra \$3.21 per acre. The per acre fee is subject to change. The maximum fee will be \$1,000 for any plan more than 260 acres. The maximum number of acres that can be enrolled into the program and qualify for a sponsored plan is 1,000 acres. There isn't a registration fee for sponsored plans.

### **Registration Fee for a Contracted Forest Stewardship Plan**

Minnesota forest landowners who choose to contract directly with a non-DNR approved stewardship plan writer for preparation of a stewardship plan will be assessed \$50 for each plan they register with the Department of Natural Resources.

The sponsored plan or registration fees are payable upon receipt of an invoice from the DNR. Payment must be made within 30 days. Landowners who fail to make payment will have their case sent to a collection agency.

Date signed: 13 November 2009

Mark Holsten, Commissioner  
Department of Natural Resources

## 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.

## See these *Important Notices*

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a huge audience of interested “eyes” every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

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## Minnesota Agricultural and Economic Development Board

### Notice of Public Hearing by the Minnesota Agricultural and Economic Development Board with Respect to a Proposed Project and the Issuance of Bonds under *Minnesota Statutes*, Chapter 41A, as Amended, and *Minnesota Statutes*, Sections 469.152 through 469.165, as Amended, for Mount Olivet Rolling Acres, Inc.

**NOTICE IS HEREBY GIVEN** that the Minnesota Agricultural and Economic Development Board (the “Board”), or its designated representative, will conduct a public hearing on Friday, December 18, 2009, at 10:00 a.m., or as soon thereafter as reasonably possible, at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, on a proposal to undertake and finance a project (defined below and referred to as the “Project”) through the issuance of revenue bonds (the “Bonds”) by the Board under *Minnesota Statutes*, Chapter 41A, as amended, and *Minnesota Statutes*, Sections 469.152 through 469.165, as amended (collectively, the “Act”).

The proceeds derived from the sale of the Bonds are proposed to be loaned by the Board to Mount Olivet Rolling Acres, Inc., a Minnesota nonprofit corporation (the “Borrower”), and applied by the Borrower to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of the Project and any related public improvements. The Bonds are proposed to be issued pursuant to the authority granted under Section 41A.05, subdivision 2, and Section 469.153, subdivision 2(b) of the Act.

The Project consists of the acquisition, construction, reconstruction, improvement, betterment, or extension of the following program sites of the Borrower (and the approximate cost of the capital improvements to be allocated to each such program site): (1) Kings Lane, 110701 Kings Lane, Chaska, Minnesota (\$31,700); (2) Oakwood, 9720 Oakwood Drive, Chaska, Minnesota (\$93,500); (3) Highland Park, 410 West 76<sup>th</sup> Street, Chanhassen, Minnesota (\$138,500); (4) Victoria, 1185 West 78<sup>th</sup> Street, Victoria, Minnesota (\$83,500); (5) Northgate, 1757 Highwood Drive, Chaska, Minnesota (\$21,500); (6) Waconia, 241 West 3<sup>rd</sup> Street, Waconia, Minnesota (\$25,000); (7) Glen Lake, 4826 Caribou Drive, Minnetonka, Minnesota (\$9,500); (8) Birch Bluff, 25925 Birch Bluff Road, Shorewood, Minnesota (\$21,200); (9) Chanhassen, 3921 Leslee Curve, Excelsior, Minnesota (\$45,000); (10) Madison, 1019 South Madison Street, Shakopee, Minnesota (\$25,000); (11) Brendon Pond, 2450 Lake Lucy Road, Chanhassen, Minnesota (\$21,200); (12) James Court, 112209 James

Court, Chaska, Minnesota (\$21,200); (13) Tessman, 7829 Tessman Drive, Brooklyn Park, Minnesota (\$17,000); (14) Plymouth Road, 2413 Plymouth Road, Minnetonka, Minnesota (\$25,000); (15) New Hope, 8217 29<sup>th</sup> Avenue North, New Hope, Minnesota (\$21,200); (16) Mackenthun, 129 Mackenthun Lane, Norwood Young America, Minnesota (\$60,000); (17) Brickstone, 401 Campfire Curve, Chaska, Minnesota (\$25,000); (18) Bloomington, 10000 and 10002 Blaisdell Avenue North, Bloomington, Minnesota (\$81,400); (19) Applewood, 1269 Applewood Way, Shakopee, Minnesota (\$267,100); (20) Richfield, 6843 Lyndale Avenue South, Richfield, Minnesota (\$9,500); (21) Westgate, 16231 Westgate Trail, Eden Prairie, Minnesota (\$21,200); (22) Cottage 1, 7200 Rolling Acres Road, Victoria, Minnesota (\$53,700); (23) Cottage 2, 7200 Rolling Acres Road, Victoria, Minnesota (\$57,800); and (24) Cottage 3, 7200 Rolling Acres Road, Victoria, Minnesota (\$5,000). A portion of the proceeds of the Bonds are to be applied to the payment of capital costs of the Project, repair and maintenance expenses, and a portion of the costs of issuing the Bonds.

The owner of the Project will be the Borrower, or an affiliated entity of the Borrower, and the Project is expected to be operated and managed by the Borrower, or an affiliated entity. The Borrower is a nonprofit social services organization dedicated to providing residential care facilities and services to persons with developmental and other disabilities, and the Project will be used to further the purposes and goals of the Borrower. The Bonds are proposed to be issued in an original aggregate principal amount not to exceed \$1,350,000. The Bonds will be limited obligations of the Board. The Bonds and the interest thereon will be payable solely from the revenue pledged to the payment thereof and other security arrangements to be established by or on behalf of the Borrower. Notwithstanding the foregoing, no holders of any of the Bonds will ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon or to enforce payment against any property of the Board or said State or any political subdivision thereof.

A draft copy of the proposed Application to the Minnesota Department of Employment and Economic Development for approval of the Project, together with all attachments and exhibits thereto and a copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto is available for public inspection at the offices of the Board at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, during normal business hours.

All persons interested may appear and be heard at the time and place set forth above or may mail written comments to the Board's Executive Director at the address set forth above prior to the date of the hearing set forth above. All persons who appear at the hearing will be given an opportunity to express their views with respect to the proposal to undertake and finance the Project.

This Notice of Public Hearing is published pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, and *Minnesota Statutes*, Section 469.154, subdivision 4.

## Department of Agriculture Rural Finance Authority Notice of Meeting Schedule, Meeting Via Conference Call

Future monthly meetings of the Rural Finance Authority Board are scheduled for 1:00 P.M. at 625 Robert Street North on the following dates in 2010: January 6; February 3; March 3; April 7; May 5; June 2; July 7; August 4; September 1; October 6; November 3; December 1.

Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. If you wish to attend, sign in at the front desk; you will be issued a badge and call (651) 201-6610 for an escort to the meeting.

For additional information, contact Peter Scheffert, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6486.

Peter Scheffert, Executive Director  
Rural Finance Authority

# Official Notices

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## Minnesota Comprehensive Health Association (MCHA) Notice of Meeting of the Finance Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 3:00 p.m. on Thursday, December 8, 2009. The meeting will take place 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 Human Services (DHS)

### Provider and Enrollment Division

#### Notice of Availability of the Minnesota Health Care Programs Provider Participation List [*Minnesota Rules, Parts 9505.5200 to 9505.5240*, also known as DHS Rule 101-Provider Compliance List]

NOTICE IS HEREBY GIVEN that the Minnesota Health Care Programs provider participation list for **September 2009** is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101 (Minnesota Rules, Parts 9505.5200 to 9505.5240). If a provider name is not on the list, the Department considers the provider non-compliant. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact Julie Hervas, Rule 101 Specialist, at (651) 431-2704 or toll-free at 1-800-366-5411. You may fax your request to (651) 431-7462 or mail to the Department of Human Services, P.O. Box 64987, St. Paul, MN 55164-0987.

Cal Ludeman, Commissioner  
Department of Human Services

# 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 day.

## State Contracts for Your Clients

The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Also, a summarized list of all "active" contracts and grants is available for subscribers only. 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. Subscribers open their State Register and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- Word Search Capability
- Updates to Index to Vol. 31
- Early delivery, on Friday
- LINKS, LINKS, LINKS
- "Contracts & Grants" Open for Bid
- E-mailed to you . . . its so easy
- Easy Access to *State Register* Archives
- 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)

### Dakota County Technical College

### Sealed Bids Sought for Printing of 2010 Summer/Fall Course Schedules

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive bids for Printing of 2010 Summer/Fall Course Schedules. Bid documents are available at: <http://www.dctc.edu/go/rfb-print/>

Sealed bids must be received by 2:00pm Monday, Dec 14, 2009, at the following location:

Attn: Pat Adams  
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 bids received. The College further reserves the right to cancel the solicitation if it is considered to be in its best interest

# Proposed Rules

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## Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Sealed Proposals Sought for Used Truck/Tractor

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive proposals for the purchase of a Used Truck/Tractor. Specifications can be obtained by calling (651) 423-8236.

Sealed proposals must be received by Pat Adams at Dakota County Technical College, 1300 - 145<sup>th</sup> St. E, Rosemount, MN 55068 by 2:00pm December 7, 2009.

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

## Minnesota State Colleges and Universities (MnSCU) Lake Superior College Request for Proposal for Helicopter Flight Training Services

**NOTICE IS HEREBY GIVEN** that proposals are being solicited for helicopter flight training services to be used for student pilot instruction at Lake Superior College located in Duluth, Minnesota.

Lake Superior College seeks to enter into a rental agreement for helicopter flight training services to be used for student pilot instruction during the period of January 1, 2010 through June 30, 2010. For additional information or to request a copy of the Request for Proposal, please contact:

Mark Winson, Vice President Finance and Administration  
Lake Superior College  
2101 Trinity Road  
Duluth, MN 55811  
**Telephone:** (218) 733-7613  
**Fax:** (218) 733-5937  
**E-mail:** *m.winson@lsc.edu*

Proposals are due at the Lake Superior College Business Office by 4:00 p.m. CT on Monday, December 14, 2009.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

## Minnesota State Colleges and Universities (MnSCU) Minneapolis Community and Technical College Advertisement for Bids for T-Building Plaza Level Millwork

**Sealed Bids for:** T-Building Plaza Level Millwork  
Minneapolis Community & Technical College  
1501 Hennepin Avenue  
Minneapolis, Minnesota 55403

**will be received by:** Roger Broz, Director of Facilities

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# Proposed Rules

Minneapolis Community and Technical College  
1501 Hennepin Avenue  
Room T-0600 (Basement – Technology Building)  
Minneapolis, Minnesota 55403

**Until 2:00:00 PM, local time, December 10, 2009** at which time the bids will be opened and publicly read aloud.

**Project Scope:** The scope of Work includes new millwork and wall paneling on the Plaza Level of the Technical Building (T-Building) The work will include, but is not necessarily limited to: wood veneer wall paneling, wood veneer shelving unit with perforated stainless steel panels and glass dividers/shelf supports.

**A Mandatory Pre-Bid Meeting will be held at 11:30 AM Thursday, December 3, 2009, in Room T3910, Technology Building, Minneapolis Community and Technical 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 will be released for bid beginning at 12:00 Noon on Monday, November 30, 2009.

Bidding Documents as prepared by; Bentz/Thompson/Rietow, are on file at the offices of the:

- 1) Architect.
- 2) Builders' Exchanges; St. Paul and Minneapolis.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) 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:

Bentz/Thompson/Rietow  
801 Nicollet Mall, Suite 801  
Minneapolis, Minnesota 55402  
**Phone:** (612) 332-1234  
**Fax:** (612) 332-1813

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

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them may send a separate non-refundable payment (check made out to the Architect) for \$25.00 per set for shipping & handling (in addition to the \$50.00 refundable deposit) to the Architect. Such deposits and payments may be sent prior to November 30, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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.

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU)

### Normandale Community College

#### Request for Sealed Bids for Brick Replacement Project for NCC's Kopp Center

**Sealed Bids for:** NCC Brick Replacement Project - Kopp Center  
Normandale Community College  
Bloomington, MN

**Will be received by:** Jessica Wolf  
Institutional Services Building Room B-1605  
Normandale Community College  
Bloomington, MN 55431

Until 2:00 p.m. CDT, local time, December 8, 2009, at which time the bids will be opened and publicly read aloud.

**Project Scope:** The project consists of the demolition and replacement of face brick (approximately 2,000 sf) and the installation of fluid-applied membrane, thru-wall flashing and sealants.

**A Pre-Bid Meeting** will be held at 10:00 a.m. CDT, Tuesday, November 24, 2009, in Room B-1611, Institutional Services Building. 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, LHB, Inc., and are on file at the offices of the:

- 1) above named Project Architect/Engineer; LHB, Inc.
- 2) following Builders' Exchanges:
  - Minneapolis Builders Exchange, 1123 Glenwood Avenue, Minneapolis, MN 55405
  - St. Paul Builders Exchange, 445 Farmington Street, St. Paul, MN 55103
  - Duluth Builders Exchange, 802 Garfield Avenue, Duluth, MN 55802
  - St. Cloud Builders Exchange, 110 Sixth Avenue South, St. Cloud, MN 56301
  - McGraw-Hill Dodge Plan Room, 1401 Glenwood Avenue North, Minneapolis, MN 55405
  - Fargo-Moorhead Builders Exchange, 1010 Page Drive, Fargo, ND 58103
  - MEDA Minority Contractors, 2781 Freeway Blvd., #100, Brooklyn Center, MN 55430
  - National Assoc. of Minority Contractors, 4801 Fourth Avenue South, Minneapolis, MN 55403
  - Reed Construction, 30 Technical Parkway South, Norcross, GA 30092

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

LHB, Inc.  
250 Third Avenue North, Suite 450  
Minneapolis, MN 55401  
Phone: (612) 338-2029  
Contact: Dawn McKenzie direct at (612) 752-6936

A deposit of \$75 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for \$25 per set for shipping and handling (in addition to the \$75 deposit) to the Architect. Such deposits and payments may be sent prior to November 30, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000 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 Housing Finance Agency (MHFA)**

### **Finance Division**

#### **Request for Proposals from Qualified Firms for Investment Banking Services**

The Minnesota Housing Finance Agency's Finance Division is requesting proposals from qualified firms to provide Investment Banking Services relating to the issuance of the Agency's mortgage revenue bonds.

Details are included in the complete Request for Proposals which is available by e-mailing Eric Mattson, MHFA Support Services, at: [Eric.Mattson@state.mn.us](mailto:Eric.Mattson@state.mn.us). Deadline for submitting a proposal is 2:00 p.m., CST, December 22, 2009.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Housing Finance Agency to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

## **Minnesota Management and Budget (MMB)**

### **Request for Proposal for Master Equipment Lease Purchase Financing Program**

Request for Proposal to provide a Master Equipment Lease Purchase Financing Program for the State of Minnesota Internal Service Funds operated by the Commissioner of Administration and the Office of Enterprise Technology. The Department of Management and Budget expects to finance the purchase of approximately \$18,682,000 of equipment during the first year of the contract and approximately \$18,180,000 of equipment during the second year of the contract. The Department of Management and Budget is seeking proposals from qualified firms to provide lease purchase financing pursuant to a Master Equipment Lease Purchase Agreement.

Deadline for submission of the Proposal is no later than **1:00 PM, Tuesday, December 15, 2009**.

For further information or to obtain a copy of the complete proposal materials, contact Susan Gurrola, Minnesota Management and Budget, 658 Cedar Street - 4th Floor, St. Paul, Minnesota 55155, **phone:** (651) 201-8046 or **e-mail:** [sue.gurrola@state.mn.us](mailto:sue.gurrola@state.mn.us).

## **Department of Natural Resources (DNR)**

### **Notice of Availability of Contract for Project Management Training**

The Minnesota Department of Natural Resources is requesting proposals for the purpose of implementing project management training throughout the department. Staff at the DNR routinely manage projects – from those involving only their own work units to multi-divisional or multi-agency projects. The majority of these employees have not received formal training in project management. Providing such training for employees will result in improved project leadership and project results department-wide.

This proposal will bring project management (“PM”) training to up to 500 DNR staff. Training will focus on the *process* of project management, not on a specific project management *software tool*. Three different classes are desired:

1. Executive overview course (high-level content, terminology). Likely to involve up to 150 staff.
2. Foundational project management skills course (for the broadest audience, ideally we will offer an online option and a live classroom option; both could be blended.). Likely to involve 150 – 300 staff.
3. Intermediate level course (for those with some project management experience already; we would like to offer an online and a live classroom option here as well. A blended approach will be considered). Likely to involve 30 – 70 staff.

# State Contracts

Suggested detail of course content:

	Learn terminology	Develop project charter	Build project schedule, budget	Assemble project team	Role of project sponsor	ID effective project leaders	Maintain progress	Evaluate success of projects	ID common pitfalls	Demonstrate support for PM skills	Practice project planning	Benefits of standard DNR PM approach	Discuss PM tools available
<b>Executive Overview</b>	X			X	X	X		X		X		X	
<b>Beginning level</b>	X	X	X	X			X	X	X				X
<b>Intermediate level</b>	X	X	X	X			X	X	X		X		X

Work is proposed to start in January, 2010.

Vendors may bid on one, two, or all of the courses described above. A Request for Proposals will be available by mail from this office through December 10, 2009. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After December 10, 2009, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Dr. Erika Tierney Garms  
 Department of Natural Resources  
 500 Lafayette Rd., Box 49  
 St. Paul, MN 55155  
**Fax:** (651) 296-6494  
**E-mail:** [Erika.tierneygarms@state.mn.us](mailto:Erika.tierneygarms@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:30 pm CST, December 16, 2009. Late proposals will NOT be considered.** Faxed 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.

## Department of Natural Resources (DNR) Request for Proposals for Mercury Emissions Control in Taconite Plants

### Statement of Objectives.

The State of Minnesota, Department of Natural Resources, Division of Lands and Minerals, in cooperation with the newly formed Minnesota Taconite Mercury Control Advisory Committee (MTMCAC), a consortium of representatives from industry, state agencies, and universities is seeking proposals in the following areas of mercury control:

1. Laboratory, pilot-scale, and/or plant testing involving:
  - a. Direct capture of Hg from process gas using carbon compounds,
  - b. Addition of compounds to process gas to promote oxidation and capture of Hg,
  - c. Addition of compounds to wet scrubbers to improve Hg capture, and
  - d. Other novel technologies of potential use in taconite plants.
2. Perform experiments needed to evaluate technologies used in other industries that may be applicable to the taconite industry.

Successful respondents to this solicitation will be awarded a State of Minnesota Master Contract to conduct research in one, or more, of the above-mentioned program areas for a two-year period. Specific projects selected will be handled through work-order contracts

pursuant to the Master. One or more work-order contracts may be awarded to each Master Contractor. It is expected that up to \$2,000,000.00 will be available for this research.

Prospective responders who wish to receive an RFP or have any questions regarding this solicitation may contact:

Mike Berndt  
DNR-Lands and Minerals  
Box 45 500 Lafayette Road  
St Paul, MN 55155  
**Phone:** (651) 259-5378  
**E-mail:** *mike.berndt@dnr.state.mn.us*

Other personnel are **NOT** authorized to discuss this request for proposal with responders before the proposal submission deadline. Contact regarding this RFP with any personnel NOT listed could result in disqualification. All proposals must be received no later than 2:30 pm, December 31, 2009.

## 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  
St. Paul, MN 55155

# State Contracts

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## 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.

## Department of Transportation (Mn/DOT)

### Policy, Safety & Strategic Initiatives Division

#### Office of Traffic, Safety and Technology

#### Request for Proposal (RFP) for IntelliDrive<sup>SM</sup> (VII) for Safety, Mobility and User Fee Implementation

**NOTICE OF AVAILABILITY** of Contract for the Mn/DOT IntelliDrive<sup>SM</sup> (VII) for Safety, Mobility and User Fee Implementation Project. Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

Mn/DOT requests responses for implementing Phase II of Minnesota's IntelliDrive<sup>SM</sup> for Safety, Mobility and User Fee demonstration. IntelliDrive<sup>SM</sup>, formerly Vehicle Infrastructure Integration (VII), was developed from previous intelligent highway vehicle programs including the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, The Transportation Equity Act for the 21st Century (TEA-21) of 1997 and finally the Intelligent Vehicle Initiative (IVI) that was created through TEA-21. IntelliDrive<sup>SM</sup> seeks to improve traffic safety and mobility while enhancing commerce in the areas where it will be implemented. Three separate applications have been identified in Phase I of the demonstration that Mn/DOT feels will best meet their safety, mobility and funding goals. An In-Vehicle Signing application addresses safety issues, an Enhanced Traveler Information application would improve driver mobility and a Mileage Based User Fee (MBUF) application could counteract the problem of diminishing fuel tax revenue. All of these applications will use aftermarket devices on a common in-vehicle platform. Phase I of this demonstration produced a Concept of Operations (ConOps), a set of preliminary requirements to be applied directly to the Phase II implementation, and a Phase II Implementation Scope of Work. The ConOps detailed possible implementation scenarios that describe what the IntelliDrive<sup>SM</sup> applications should do and the preliminary requirements set constraints on the overall system. A preliminary evaluation plan was also created during Phase I to be used during and after the full deployment of the Phase II IntelliDrive<sup>SM</sup> system.

The complete RFP is available online at Mn/DOT's Consultant Services Website located at:

<http://www.dot.state.mn.us/consult/files/notices/notices.html>

All proposals must be mailed or delivered to:

Ron Bisek, Contracts Administrator  
Minnesota Department of Transportation  
Office of Traffic, Safety and Technology  
RTMC Building, **Mailstop 725**  
1500 West County Road B2  
Roseville, MN 55113

Fax and e-mail responses will not be considered

Note: PROPOSALS WILL BE DUE ON **FRIDAY, January 15, 2010** no later than 2:00 pm CENTRAL STANDARD TIME.

## 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.

## More Business for Your Clients

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