

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:

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- Exempt Rules
- Expedited Rules
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- Vetoed Rules
- Executive Orders of the Governor
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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. 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 Proposed emergency rules, and withdrawn proposed rules, are also published in the *State Register*.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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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**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 # 10-09: Providing for Assistance in Response to Tornadoes and Severe Thunderstorms**

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 June 17, 2010, heavy rain, tornadoes and strong winds moved across widespread areas of Minnesota and threatened public safety; and

**WHEREAS**, extreme weather has caused significant property damage and displaced local homeowners and businesses; and

**WHEREAS**, it is anticipated that shelter and security will be required; and

**WHEREAS**, the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management has requested the Minnesota National Guard provide public safety assistance to affected local governments.

**NOW, THEREFORE**, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about June 17, 2010, in the service of the State, such personnel and equipment of the military forces of the State as required to provide assistance and for such a period as necessary.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.

# Executive Orders

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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 2009*, Sections 192.49, 192.52 and 192.54.

Pursuant to *Minnesota Statutes 2009*, Section 4.035, Subdivision 2, this emergency executive order shall be effective retroactively to June 17, 2010, and will remain in effect until the conclusion of the emergency.

IN TESTIMONY WHEREOF, I have set my hand this 18<sup>th</sup> day of June, 2010.

Signed: **TIM PAWLENTY**  
Governor

Filed According to Law:

Signed: **MARK RITCHIE**  
Secretary of State

## Office of the Governor

### Emergency Executive Order # 10-10: Declaring a State of Emergency in the State of Minnesota

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, including *Minnesota Statutes 2009*, Chapter 12, do hereby issue this Executive Order:

**WHEREAS**, on Thursday, June 17, 2010, severe thunderstorms crossed the entire state of Minnesota and an unprecedented number of tornadoes touched down, resulting in loss of life, widespread power outages and significant damage to personal property, homes, businesses and public infrastructure; and

**WHEREAS**, counties' emergency operations plans are activated, cities and counties have declared local emergencies, and local jurisdiction are requesting state assistance and resources; and

**WHEREAS**, the resources of local, county and state governments must be fully utilized to ensure immediate response to protect the life and safety of persons in the affected areas and to protect property and infrastructure from additional damage.

**NOW, THEREFORE**, I hereby order that:

1. A State of Emergency pursuant to *Minnesota Statutes 2009*, Section 12.31 exists in the counties of Faribault, Freeborn, Olmsted, Otter Tail, Polk, Steele, and Wadena.

2. The Department of Public Safety, Division of Homeland Security and Emergency Management will activate the Minnesota Emergency Operations Plan, continue the provision of on-site support and assistance to the affected local governments, and determine the need for supplementary emergency assistance.

3. All state agencies, in cooperation with appropriate federal agencies, are directed to provide the assistance necessary to help local units of government respond to and recover from this emergency.

Pursuant to *Minnesota Statutes 2009*, Section 4.035, Subdivision 2, this Order shall be effective retroactively to June 17, 2010, and shall remain in effect until the emergency status no longer requires emergency response. The peacetime emergency can be extended by the Executive Council or the Legislature in accordance with *Minnesota Statutes 2009*, Section 12.31, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 19<sup>th</sup> day of June, 2010.

Signed: **TIM PAWLENTY**  
Governor

Filed According to Law:

Signed: **MARK RITCHIE**  
Secretary of State

## 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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## Minnesota Agricultural and Economic Development Board (DEED) Proposed Change in Conduit Bond Issuance Fees

The Minnesota Agricultural and Economic Development Board’s (the “Board”) fee structure to issue conduit bonds has been unchanged since 2003. The Board currently charges a one-time fee based on the original amount of the conduit bond issues of 1/16<sup>th</sup> of 1% (16.5 basis points) up to a maximum of \$25,000. This fee applies only to original issues and does not apply to issues used to refund bonds previously issued by the board.

The Board will be implementing changes in this fee structure so fees are more consistent with rates being charged by similar entities and  
(Cite 34 SR 1867)

# Official Notices

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to better reflect the costs involved with these transactions. The fee for initial issuances would remain at 16.5 basis points, but the maximum would increase to \$50,000 and a minimum of \$10,000 would be established. The Board will also implement fees for conduit refund bond issues of 8.25 basis points (50% of fee for initial issues) with the same minimum of \$10,000 and maximum of \$50,000.

Any comments on this new fee schedule should be forwarded by July 31, 2010:

Written comments: Bob Isaacson,  
Director JOBZ and Business Finance Office  
332 Minnesota St., Suite E200  
St. Paul, MN 55101

Fax comments: Bob Isaacson  
**Fax:** (651) 296-5287

E-mail comments: [Bob.Isaacson@state.mn.us](mailto:Bob.Isaacson@state.mn.us)

## Department of Human Services (DHS) Health Care Administration Public Notice Regarding Changes to Payment Rates and Methodologies, and Services Under the Medical Assistance Program, the General Assistance Medical Care Program, and the MinnesotaCare Program

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, and the MinnesotaCare Program that the 2010 Minnesota Legislature enacted during the regular and special sessions.

This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The legislative changes are estimated to result in a net decrease of \$218.3 million in the MA program and a net decrease of \$12.9 million in the Medicaid portion of MinnesotaCare for state fiscal year 2011 (July 1, 2010 through June 30, 2011), and a net decrease of \$205.6 million in the MA program and net decrease of \$23.7 million in the Medicaid portion of MinnesotaCare for state fiscal year 2012 (July 1, 2011 through June 30, 2012). The fiscal effects indicated for MA do not include effects of the contingent MA expansion for adults without children.

The actual text of most of the 2010 legislative changes are contained in *Minnesota Laws 2010*, regular Session, Chapters 200, 303 and 352 and First Special Session, Chapter 1. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice), or (651) 296-9896 (TTY), or 1-800-657-3550 (Greater Minnesota), or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice), or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.leg.state.mn.us>

It is important to note that not all changes made to these programs by the 2010 legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at:

[http://www.dhs.state.mn.us/main/groups/business\\_partners/documents/pub/DHS\\_id\\_000221.hcsp](http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/DHS_id_000221.hcsp)

Changes were made to the following program areas:

- I. MA, GAMC and MinnesotaCare Services and Payment Rates
- II. MA Institutional Payment Rates
- III. MA Home and Community-Based Waivers and Payment Rates

#### **I. MA, GAMC, MinnesotaCare Payment Rates**

If on or before January 15, 2011, the current Governor or the next Governor issues an executive order, MA eligibility would be expanded to include non-pregnant adults without children between the ages of 21 and 65 who are not eligible for Medicare and do not meet any other MA category of eligibility. The income limit for this group would be 75 percent of the federal poverty guidelines and there would be no asset limit. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 5 to 8.

The commissioner shall submit a Medicaid state plan amendment to obtain federal approval to expand Medicaid eligibility for adults without children. The effective date of the state plan amendment shall be July 1, 2010, except that the state plan amendment is only to be implemented upon an executive order of the current or next governor issued on or before January 15, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 46 and Section 48.

The commissioner shall submit a federal Medicaid waiver or an amendment to the MinnesotaCare health care reform waiver to include in the waiver single adults and households without children. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 46.

GAMC services rendered on or after April 1, 2010, through May 31, 2010, will be reimbursed on a fee-for-service basis. The reimbursement rate for GAMC services, other than prescription drugs, will be at 37% of the payment rate in effect on March 31, 2010. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 5.

If an executive order implementing MA for non-pregnant adults without children is issued effective July 1, 2010, GAMC services, other than prescription drugs, will be paid on a fee-for-service basis from June 1, 2010 to June 30, 2010 with rates set at 27% of the payment rate in effect on March 31, 2010. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 32.

Effective March 23, 2010, a recipient of Medical Assistance under age 21 who elects to receive hospice care does not waive coverage for services related to the treatment of the condition for which a diagnosis of terminal illness has been made. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 24, Section 4.

Effective July 1, 2010, determinations of need for special transportation must not be performed more often than annually for any individual, unless the individual's condition changes. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 4.

Effective July 1, 2010, for fee-for-service, commissioner authorization is required to provide medically necessary physical therapy services to a recipient beyond the following one-time service thresholds, or a lower threshold when the commissioner has established a lower threshold for a specified service: (1) 80 units of any approved CPT code other than modalities; (2) 20 modality sessions; and (3) three evaluations or re-evaluations. Payments to managed care and county-based purchasing plans must reflect this reduction, effective January 1, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 8.

Effective July 1, 2010, for fee-for-service, commissioner authorization is required to provide medically necessary occupational therapy services beyond the following one-time service thresholds, or a lower threshold when the commissioner has established a lower threshold for a specified service: (1) 120 units of any combination of approved CPT codes; and (2) two evaluations or re-evaluations. Payments to managed care and county-based purchasing plans must reflect this reduction, effective January 1, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 9.

Effective July 1, 2010, for fee-for-service, commissioner authorization is required to provide medically necessary speech language pathology and audiology services beyond the following one-time service thresholds, or a lower threshold when the commissioner has established a lower threshold for a specified service: (1) 50 treatment sessions with any combination of approved CPT codes; and (2) one evaluation. Payments to managed care and county-based purchasing plans must reflect this reduction, effective January 1, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 10.

Effective July 1, 2010, upon federal approval, payment for chiropractic services is limited to one annual evaluation and twelve visits per year unless otherwise authorized. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 11.

# Official Notices

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Effective July 1, 2010, an eligible pharmacist may provide medication therapy management services via two-way interactive video when there are no pharmacists qualified to provide such services within a reasonable geographic distance of the eligible patient. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 12.

Effective July 1, 2010, the commissioner may set reimbursement rates for specified categories of medical supplies at levels below the Medicare payment rate. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 14.

Effective July 1, 2010, services provided in a licensed birth center by a licensed health professional will be covered by Medical Assistance if such services would otherwise be covered if provided in a hospital. Licensed traditional midwives are to be paid 100% of what a physician would receive for performing the same services and facility fees will be paid at a rate of 70% of what a hospital would receive for an uncomplicated vaginal birth. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 15.

Effective July 1, 2010, fee-for-service payment rates for physician and professional services, excluding primary care, are reduced by 7%. This reduction does not apply to payments for physical therapy services, occupational therapy services, speech pathology and related services, and services provided by psychiatrists and advanced practice nurses with a specialty in mental health, in addition to primary care. Payments to managed care and county-based purchasing plans must reflect this reduction, effective October 1, 2010. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 25.

Effective July 1, 2010, the criteria used by the commissioner to qualify dentists and dental clinics as critical access providers is modified. The modified criteria requires the commissioner to designate as critical access providers: (1) certain nonprofit community clinics; (2) federally qualified health centers, rural health clinics, public clinics; (3) county-owned and operated hospital-based dental clinics; (4) a dental clinic or dental group owned and operated by a nonprofit operation with more than 10,000 patient encounters per year with patients who are uninsured or covered by MA, GAMC, or MinnesotaCare; and (5) a dental clinic associated with an oral health or dental education program operated by the University of Minnesota or an institution within the Minnesota State Colleges and Universities system. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 27.

Effective July 1, 2010, MA fee-for-service payments for physician and professional services and basic care services must not exceed the applicable Medicare payment rate on a service-by-service basis. For this purpose, basic care services include outpatient hospital, medical supplies, medical equipment, and laboratory services. This limit is to be applied after the application of all other payment rate reductions, including those effective July 1, 2010, and must be accomplished by first reducing or eliminating any provider rate add-ons. Services provided by certified nurse midwives or licensed traditional midwives are exempt from this per service payment limit. Instead, MA fee-for-service payments to certified nurse midwives and licensed traditional midwives must not exceed the MA payment rate for physicians for the applicable service without the application of the limit to the Medicare payment rate. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 29.

Effective July 1, 2010, MA fee-for-service payment rates for physical therapy, occupational therapy, and speech language pathology and related services are subject to the 3% basic care rate reduction enacted in 2009 rather than the 5% reduction for physician and professional services also passed in 2009. MA and MinnesotaCare payments for these services made to managed care and county-based purchasing plans are required to reflect this change effective October 1, 2010. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 28.

By the date the federal high risk pool to be established under the federal Patient Protection and Affordable Care Act of 2010 or the Minnesota Comprehensive Health Association (MCHA), begins providing coverage in Minnesota, which is not more than 90 days from March 23, 2010, the commissioner must ensure that:

- (1) applicants for coverage under the federal high-risk pool are referred to MA or MinnesotaCare if they may be qualified for those state programs; and
- (2) applicants for coverage under those state programs, if determined to be not eligible for them, are provided with information about coverage under the federal high-risk pool and MCHA. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 22, Section 1.

Effective July 1, 2010, the commissioner, in consultation with the Drug Utilization Review Board and actively practicing pediatric mental health professionals, is required to:

- (1) identify recommended pediatric dose ranges for atypical antipsychotic drugs and drugs used for attention deficit disorder or attention deficit hyperactivity disorder;

- (2) identify situations where a collaborative psychiatric consultation and prior authorization should be required before the initiation or continuation of drug therapy in pediatric patients; and
- (3) track prescriptive practices and use of psychotropic medications in children with the goal of reducing use of medication. *Minnesota Laws 2010*, Chapter 200, Article 1, Sections 5.

Effective July 1, 2011, in order for medications for atypical antipsychotic and attention deficit disorder and attention deficit hyperactivity disorder to be covered, the commissioner must require authorization and a collaborative psychiatric consultation in cases in which it is determined to be necessary. The collaborative psychiatric consultation must meet the criteria described in Minnesota Statutes, §245.4862, subdivision 4. There is an exception from this requirement and an alternative procedure when the patient is already stabilized on the medication regimen or the provider indicates that the child is in crisis. *Minnesota Laws 2010*, Chapter 200, Article 1, Sections 5.

Effective July 1, 2010, for purposes of the state health care program participation requirement under § 256B.0644, participation in GAMC applies only to pharmacy providers. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 6.

Effective August 1, 2010, federally qualified health centers and rural health clinics must not be excluded as providers under MA, GAMC, or MinnesotaCare based upon combined cost and quality scores that are below the established threshold set for provider peer grouping. *Minnesota Laws 2010*, Chapter 310, Article 6, Section 1.

Effective August 1, 2010, the requirements for being a non-profit community clinic that is eligible for a 20% increase in payments for MA services is aligned with the criteria for essential community providers. *Minnesota Laws 2010*, Chapter 310, Article 6, Section 2.

Effective August 1, 2010, panoramic x-ray services for adults are covered once every five years if medically necessary. *Minnesota Laws 2010*, Chapter 310, Article 7, Section 1.

Effective August 1, 2010, the commissioner must publish the list of services that require prior authorization, and criteria and standards to select services, in the Minnesota health care programs provider manual and on the Department's web site. The list is no longer required to be published in the State Register. *Minnesota Laws 2010*, Chapter 310, Article 8, Section 1.

Effective August 1, 2010, prior authorization can be required for drugs that are not on the preferred drug list, even if the manufacturer has signed a supplemental rebate contract. *Minnesota Laws 2010*, Chapter 310, Article 10, Section 1.

Effective August 1, 2010, payment for multisource drugs is at the maximum allowable cost established by the commissioner, unless prior authorization has been obtained for a brand name product. Those brand name drugs will receive the brand name rate. *Minnesota Laws 2010*, Chapter 310, Article 11, Section 1.

Effective for services rendered on or after October 1, 2010, dental clinics operated by State Operated Services (SOS) will receive a cost-based reimbursement for MA services. Beginning in FY 2011, if total MA payments through cost-based reimbursements are less than \$1.85 million, a supplemental payment equal to the difference between cost-based reimbursements and \$1.85 million will be paid for SOS dental clinics. The cost-based reimbursement will be implemented for managed care effective January 1, 2011. If the cost-based reimbursement does not receive federal approval, SOS dental clinics will be designated as critical access dental providers. *Minnesota Laws 2010*, Special Session, Chapter 1, Article 16, Section 26.

Effective January 1, 2011, MA will cover oral language interpreter services only if the interpreter is listed in the registry or roster established by the Commissioner of Health under Minnesota Statutes §144.058. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 13.

Effective January 1, 2011, MA copayments for non-emergency use of hospital emergency rooms are reduced from \$6.00 to \$3.50. MA fee-for-service reimbursements and payments to managed care plans will not be increased as a result of the reduction of the copayment. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 16-17.

Effective January 1, 2011, MinnesotaCare copayments for non-emergency use of hospital emergency rooms are reduced from \$6.00 to \$3.50. MinnesotaCare fee-for-service reimbursements and payments to managed care plans will not be increased as a result of the reduction of the copayment. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 33.

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Effective January 1, 2011, or upon federal approval, whichever is later, Medical Assistance must cover health home services to individuals who have (1) two or more chronic conditions; (2) one chronic condition and are at risk of having a second chronic condition; or (3) one serious and persistent mental health condition. Eligible individuals must select a qualified provider as the individual's health home. Health home services are defined as comprehensive and timely, high-quality services that are provided by a health home, and include activities specified in §2703 of the federal Patient Protection and Affordable Care Act of 2010. The Department is required to maximize the number and type of services qualifying as health home services to the extent permissible under federal law. The Department is directed to establish health teams to support the patient-centered health home, and to apply for grants or contracts as provided under §3502 of the Patient Protection and Affordable Care Act to establish health teams and provide capitated payments to primary care providers. The Department is required to make payments to health homes for the provision of health home services, and to ensure that payment methods for health homes are consistent with state requirements for health care homes. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 22, Section 2.

For admissions occurring on or after July 1, 2011, MA disproportionate share hospital payments are generated by reimbursing inpatient services for adults without children enrolled in MinnesotaCare on a fee-for-service basis, up to the MA payment rate, for costs up to the \$10,000 inpatient limit, minus any copayment. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 34.

Effective July 1, 2011, the Department is directed to develop and authorize a demonstration project to test alternative health care delivery systems, including accountable care organizations (ACOs) that provide services based on total cost of care or a risk-gain sharing payment arrangement. Individuals eligible for Medical Assistance or MinnesotaCare are permitted to enroll in the health care delivery system, and the Department may assign a person to a delivery system if one is available and a choice has not been made. Outpatient prescription drug coverage may be provided through an ACO only if the delivery method qualifies for federal prescription drug rebates. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 19.

Effective upon federal approval, home infusion therapy services provided by home infusion therapy pharmacies must be paid at the lower of the submitted charge or the combined payment rates for the component services. *Minnesota Laws 2010*, Chapter 310, Article 12, Section 1.

Effective for fiscal year 2011, funds are appropriated from the General Fund to the commissioner to complete the actuarial and administrative work necessary to begin the operation of the Program of All Inclusive Care for the Elderly, or PACE, under Minnesota Statutes §256B.69, subd. 23, paragraph (e). *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 3, Subdivision 7.

By January 1, 2014, the Administrative Uniformity Committee is required to develop a standard companion guide on the exchange of drug authorization requests between providers and group purchasers if electronic data interchange standards are available. The deadline for implementation of electronic drug prior authorization request submission and acceptance is extended from January 1, 2011, to January 1, 2015. *Minnesota Laws 2010*, Chapter 336, Section 5.

Coverage under the MA Asthma Coverage Demonstration Project, established in *Minnesota Laws 2009*, Chapter 79, Article 5, Section 79, is expanded to include home environmental assessments for triggers of asthma and in-home asthma education on the medical management of asthma by a certified asthma educator or public health nurse with asthma management training. The expanded coverage is limited to two visits per child. The home visit payment rates must be based on a rate commensurate with a first time visit rate and follow-up visit rate. Coverage of durable medical equipment under the project includes specified items that are useful to reduce asthma symptoms. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 38.

Effective for admissions occurring on or after July 1, 2010, Medical Assistance inpatient fee-for-service hospital rates, before third party liability and spenddown, are reduced by 1.96 percent. Managed care payments will be adjusted to reflect this reduction effective January 1, 2011. Indian Health Services are exempt from this reduction. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 3.

In 2009, MA payments for inpatient hospital services were reduced by 1.9 percent effective July 1, 2009 through June 30, 2010, after which the rate reduction would be adjusted to 1.79 percent. The 1.9 percent rate reduction is now extended through June 30, 2011. Beginning July 1, 2011, the rate reduction will be modified to 1.79 percent. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 2.

Effective for admissions on or after April 1, 2010, quarterly MA supplemental payments to hospitals required by *Minnesota Statutes* §256.969, subdivision 27 are eliminated. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 3.

Effective for admissions on or after April 1, 2010, supplemental MA payments to hospitals with MA utilization rates of 25 percent or greater authorized by *Minnesota Statutes* §256.969, subdivision 28 are eliminated. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 3.

Effective June 1, 2010, through February 28, 2011, a new MA disproportionate share uncompensated care pool of \$30 million is established. Payments to eligible hospitals will be distributed based on each hospital's share of the total amount of all hospital services delivered to GAMC-eligible recipients by hospitals participating in the pool. Each hospital's share of the total amount of services will be determined by pricing the services delivered using the fee-for-service GAMC payment rates in effect as of March 31, 2010. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 8, as amended by *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 42, and *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 19.

Effective June 1, 2010, a new MA disproportionate share hospital payment pool for Coordinated Care Delivery Systems (CCDSs) is established. Payments to hospitals in participating CCDSs from the pool are based on the 2008 fee-for-service GAMC payments of each hospital, except that the distributions to Hennepin County Medical Center, Regions Hospital, and University of Minnesota Medical Center, Fairview Hospital will be increased to 110 percent of what they would otherwise receive. The maximum amount of the payment pool will be \$71 million in SFY 2010 and 2011, and \$131 million in SFY 2012 and 2013. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 7.

Effective retroactive to January 1, 2010, the General Fund appropriation for outreach and incentive grants for Minnesota Health Care Program outreach program under Minnesota Statutes §256.962 is cancelled. *Minnesota Laws 2010*, First Special Session Chapter 1, Article 15, Section 3.

On September 21, 2009, the Department published notice that MA critical access dental payments were suspended from April 1, 2010 through June 30, 2011. The 2010 legislature shortened the duration of the suspension of MA critical access dental payments by suspending the payments until July 1, 2010. *Minnesota Laws 2010*, First Special Session Chapter 1, Article 15, Section 11.

Effective retroactive to January 1, 2010, for calendar year 2010, the withhold on MA payments to managed care plans related to non-performance is increased from 3.5 percent to 4.5 percent. In calendar year 2011, the withhold is increased from 4.0 percent to 4.5 percent. *Minnesota Laws 2010*, First Special Session Chapter 1, Article 15, Section 9.

State fiscal year 2011 payments for inpatient hospital services that would otherwise have been made in June 2011 must be included in the first payments in FY 2012. This payment delay includes, and is not in addition to, the payment delay for inpatient hospital services enacted in 2009. *Minnesota Laws 2010*, First Special Session Chapter 1, Article 15, Section 3.

State fiscal year 2011 payments for nonhospital acute care services that would otherwise have been made in June 2011 must be included in the first payments in FY 2012. This payment delay does not apply to payments for nursing facilities, intermediate care facilities, home and community-based services, prepaid health plans, personal care provider organizations, and home health agencies. This payment delay includes, and is not in addition to, the payment delay for inpatient hospital services enacted in 2009. *Minnesota Laws 2010*, First Special Session Chapter 1, Article 15, Section 3.

Effective June 1, 2010, an outpatient prescription drug pool is established to reimburse pharmacies and other pharmacy service providers on a fee-for-service basis for drugs dispensed to GAMC recipients. Reimbursements are subject to the availability of funding in the pool. The amount of the payment pool will be \$56 million in state FY 2010 and 2011 and \$104 million in state FY 2012 and 2013. Coordinated Care Delivery Systems are required to pay, on a quarterly basis, an assessment equal to 20 percent of payments from the pool. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 9.

Partial rebasing of MA inpatient hospital rates as required by *Minnesota Laws 2009*, Chapter 173, Article 1, Section 13, for the rebasing period beginning January 1, 2011, is eliminated. There is an exception for long-term care hospitals in the state, which will be fully rebased effective January 1, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 2.

Upon federal approval, the Department is allowed to establish a pilot program in Hennepin County or Ramsey County, or both, to test alternative integrated health care delivery networks for adults without children who are eligible for MA. Counties can transfer up to 15% of the MA cost of expected expenses for persons in the demonstration project. Implementation of this provision is contingent upon the issuance of an executive order by the current Governor or the next Governor by January 15, 2011 authorizing implementation of MA

# Official Notices

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coverage for adults without children under *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 48. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 20.

Effective June 1, 2010, the current GAMC benefit set in *Minnesota Statutes*, §256D.03, subdivision 4, is repealed and replaced by a new benefit set. The new benefit set differs from the current benefit set in a number of ways, including:

- Medical supplies and equipment, and Medicare premiums, coinsurance and deductible payments are not covered;
- Medical equipment not specifically permitted but that is necessary to prevent the need for costlier services are no longer covered;
- Chemical dependency services that are reimbursed under Chapter 254B shall not be reimbursed; and
- Inpatient hospital services that are provided in community behavioral health hospitals operated by State-Operated Services shall not be reimbursed.

*Minnesota Laws 2010*, Chapter 200, Article 1, Section 12.

Effective June 1, 2010, a hospital participating as a coordinated care delivery system must either cover the services in the new GAMC benefit set as defined in *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 4, or cover a set of comprehensive and medically necessary health services that must include, at a minimum services specified in *Minnesota Laws 2010*, Chapter 200, Article 1, Section 12, subdivision 6, paragraph (a). If an executive order is issued by the Governor to implement the expansion of Medical Assistance eligibility for adults without children effective July 1, 2010, the GAMC benefit set as described in *Minnesota Statutes*, §256D.03, subdivision 4, will be extended until June 30, 2010, and the new GAMC benefit set is repealed. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 32, 44 and 47.

Effective July 1, 2010, Hennepin County, Hennepin County Medical Center, Ramsey County, Regions Hospital, the University of Minnesota and Fairview-University Medical Center are required to report, on a quarterly basis, certified public expenditures that may qualify for MA disproportionate share hospital payments. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 3.

Effective July 1, 2010, managed care plan performance targets are established for MA and MinnesotaCare related to reducing the use of emergency rooms by state health care program enrollees. The target is a 5 percent reduction per year until the emergency room utilization rate is reduced by 25 percent. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Sections 21 and 37.

Effective January 1, 2011, an additional 3 percent will be withheld from MinnesotaCare managed care payments each calendar year. The withheld funds will be returned to the managed care plan between July 1 and July 31, of the following calendar year. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 37.

Effective July 1, 2011, the Department is required to take into account anticipated savings from expanding MA coverage to services provided in licensed birthing centers when negotiating managed care contract rates. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 16, Section 45.

Effective for services rendered on or after July 1, 2010, to December 31, 2013, MinnesotaCare payments to managed care plans for single adults and households without children whose income is greater than 75% of federal poverty guidelines shall be reduced by 15%. Effective for services provided from July 1, 2010, to June 30, 2011, this reduction shall apply to all services. Effective for services provided from July 1, 2011, to December 31, 2013, this reduction shall apply to all services except inpatient services. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 3, subd. 6.

Effective for services rendered on or after July 1, 2010, to December 31, 2013, Medical Assistance and MinnesotaCare payments to managed care and county-based purchasing plans shall be reduced by 3% of the payment attributable to non-administrative services in effect on June 30, 2010. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 3, subd. 6.

Effective 60 days after federal approval, the Hennepin and Ramsey County intergovernmental transfer (IGT), established under *Minnesota Statutes*, §256B.196, Subdivision 2, paragraph (c), is expanded to include all licensed health care plans (rather than just Metropolitan Health Plan and HealthPartners) that agree to make enhanced payments to Hennepin County Medical Center (HCMC) or Regions Hospital. The IGT is voluntary. Transfers from Hennepin County are limited to \$12 million per year and from Ramsey County to \$6 million per year. The Department is required to increase MA capitation payments to each health plan that agrees to make enhanced payments to HCMC or Regions Hospital by an amount equal to the value of the transfers plus federal participation. DHS is permitted to ratably reduce payments to satisfy federal requirements for actuarial soundness. Plans that receive increased capitation payments must

increase MA payments to HCMC and Regions Hospital by the same amount as the increase. *Minnesota Laws 2010*, Chapter 200, Article 1, Section 8.

Effective federal fiscal year 2010, supplemental MA payments to Hennepin County Medical Center and Regions Hospital are made up to the applicable Medicaid upper payment limit. These supplemental payments may be expanded to include the University of Minnesota Medical Center, Fairview and SMDC Medical Center upon federal approval and if payment of the necessary voluntary intergovernmental transfer is available. *Minnesota Laws 2010*, Chapter 200, Article 1, section 9

Effective April 1, 2010, for federal fiscal year 2010, supplemental MA payments to hospitals with total MA fee-for-service payment rates in the top-most ten percent of statewide MA fee-for-service hospital payment rates described at Minnesota Statutes, §256B.195, subdivision 3(e)(1), are eliminated. *Minnesota Laws 2010*, Chapter 200, Article 1, section 21.

Effective July 1, 2010, counties are no longer required to pay the additional county match that some counties had paid under the Chemical Dependency (CD) county maintenance of effort. The additional match is replaced with a uniform county match of 16.14% of the total cost. This change simplifies state and county administration of CD funding, and allows for a more predictable and equitable county share. The county share for CD services that are reimbursed by Medical Assistance continues at 30% of the non-federal share. Under the current enhanced federal matching rate, that equals 11.5% of the total cost for MA reimbursed CD services. When the federal match rate returns to 50%, the county share will equal 15% of the total cost for MA reimbursed CD services. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 19, Sections 8 – 15.

Effective for chemical dependency services provided during July 1, 2010 to June 30, 2011:

- rates that are above the statewide average are reduced 5%
- rates that are below the statewide average are reduced 1.8%
- State Operated Services is exempt from the July 2010 reductions

Funding for the biennium FY 2012-2013 includes almost \$9 million over and above what would be provided if rates were frozen at the FY 2011 level. These funds will be distributed as part of a new rate methodology. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Section 16, subd. 8(g).

Effective August 1, 2010, the children's mental health mandate that required counties to determine the appropriate level of care for a child admitted to an acute care hospital on an emergency basis is eliminated. *Minnesota Laws 2010*, Chapter 303, section 2

Effective August 1, 2010, conflicting law is corrected to reflect the intent to define psychotherapy and skills training as the focus of children's mental health day treatment programs under Children's Therapeutic Services and Supports. *Minnesota Laws 2010*, Chapter 303, section 5.

Effective August 1, 2010, licensed professional clinical counselors are added to the list of licensed mental health professionals who can provide supervision of community health workers. *Minnesota Laws 2010*, Chapter 303, section 4.

Effective August 1, 2010, the Department is authorized to develop a rate methodology for diagnostic assessment which is based upon three levels of complexity and is budget neutral, to be effective January 1, 2011, or upon federal approval, whichever is later. *Minnesota Laws 2010*, Chapter 303, section 6.

Effective August 1, 2010, a county juvenile treatment screening team, which is evaluating an Indian child for possible placement in a treatment facility is required to notify the child's tribe and permit a tribal representative to participate in recommendations to the juvenile court. *Minnesota Laws 2010*, Chapter 303, section 7

Effective August 1, 2010, requires a tribal health facility or facility of the Indian Health Services to determine the appropriate level of children's mental health care when Indian Health Service or tribal funds are to be used for the care. Previous law required counties to determine the appropriate level of care when county funds are to be used. *Minnesota Law 2010*, Chapter 303, section 1.

Effective August 1, 2010, chemical dependency treatment programs that are tribally licensed and located off-reservation may access state and federal funding through the Consolidated Chemical Dependency Treatment Fund (CCDTF). *Minnesota Statutes*, Chapter 303, section 3.

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Effective July 1, 2010, the addition of adolescent assertive community treatment as an MA benefit is delayed until November 1, 2011. *Minnesota Statutes*, Chapter 200, Article 1, section 7.

For questions regarding MA, GAMC and MinnesotaCare services and payment rates, contact Dave Greeman at the Minnesota Department of Human Services, Health Care Administration, PO Box 64983, St. Paul, MN 55164-0983; phone (651) 431-4311.

## II. MA Institutional Payment Rates

### Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/MR)

Pursuant to the Governor's biennial budget, the Department proposed changes to the ICF/MR rate-setting system. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which ICF/MR residents' advocates, trade associations, providers, facility employee union representatives, and the general public was invited to attend. The legislature considered the public's input and enacted legislation changing the rate-setting system as follows:

On June 29, 2009, notice was published that new applications for occupancy rate adjustments for unoccupied short-term beds was suspended through June 30, 2011. The 2010 legislature extended the suspension through June 30, 2013. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 15 Sec. 3, subd. 6 (b) and Article 25, Sec. 3, subd. 8 (b)

Effective for the rate period July 1, 2010, to June 30, 2011, the daily rate for an ICF/MR located in Clearwater County and classified as a Class A facility with 15 beds shall be increased from \$112.73 to \$138.23. *Minnesota Laws, 2010*, First Special Session, Chapter 1, Article 17, Sec. 17

Effective July 1, 2010, \$36,000 is appropriated in fiscal year 2011 and \$4,000 in fiscal year 2012 to increase payment rates for an ICF/MR licensed for six beds and located in Kandiyohi County to serve persons with high behavioral needs. The payment rate increase is onetime and shall be effective for services provided from July 1, 2010, through June 30, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Sec. 3, subd. 8 (b)

For questions regarding ICF/MR payment rates, contact Amy Dellwo at the Minnesota Department of Human Services, Continuing Care Administration, PO Box 64974, St. Paul, MN 55164-0974; phone (651) 431-2585.

### Nursing Facilities

Pursuant to the Governor's biennial budget, the Department proposed changes to the nursing facility rate-setting system. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which nursing facility residents' advocates, trade associations, providers, facility employee union representatives, and the general public was invited to attend. The legislature considered the public's input and enacted legislation changing the rate-setting system as follows:

Effective August 1, 2010, the layaway status of nursing facility beds is modified to remove the 50% limit on the number of beds that can be in layaway, allows beds to be in layaway for 10 years rather than 5 years, and no licensure or certification requirements are needed for beds in layaway. *Minnesota Laws 2010*, Chapter 352, Article 1, Section 2.

On, September 21, 2009, notice was published that new applications for occupancy rate adjustments for unoccupied short-term beds was suspended from July 1, 2010, through June 30, 2013. The 2010 legislature extended the suspension through September 30, 2013. Rebasement of rates will resume its previously determined schedule at 65% cost-based rate and 35% prior-year rate on October 1, 2013. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 15, Section 8 and Article 17, Section 12.

Effective May 14, 2010, two nursing facilities in Red Wing are allowed to close and a new 80-bed facility is allowed to be built to replace them. A formula is to be used to compute the property rate add-on for the first three years that is budget neutral after considering other rate adjustments that are forfeited. *Minnesota Laws 2010*, Chapter 329, Article 1, Section 1.

Effective January 1, 2011, or upon federal approval, certain government-owned nursing facilities are allowed to select a rate with a weight of 1.00 up to the fully phased-in rebasing rate under 256B.441, subdivision 54. Rate adjustments begin on January 1, 2011, based on the September 30, 2009, cost report, and subsequent years will be based on the most recently available cost report. Rates can be reduced to stay below the Medicare upper payment limit and the provision is dependent on federal approval. *Minnesota Laws 2010*,

Chapter 396, Sections 4, 5 & 9.

Effective August 1, 2010, adjustments for raw food costs that are related to providing special diets based on religious beliefs will be excluded when comparing to an array, median or other statistical measure of nursing facility payment rates to be used to determine future rate adjustments. This language modifies previous language and will have no rate effect this year, but may in future years. *Minnesota Laws 2010*, Chapter 394, Section 1.

Individual nursing facility payment rates are available by contacting the Nursing Facility Rates and Policy Division, Minnesota Department of Human Services, PO Box 64973, St. Paul, MN 55164-0973; phone (651) 431-2280.

### **III. MA Home and Community-Based Waivers and Payment Rates**

Effective July 1, 2010, the caseload growth of the Traumatic Brain Injury waiver is limited to six allocations per month of the fiscal year. Growth in the Community Alternatives for Disabled Individuals waiver is limited to sixty allocations per month of the fiscal year 2010. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Sec. 3, subd. 8 (c).

Effective retroactively from July 1, 2009, and ongoing, personal care assistants will not be allowed to work more than 275 hours per month whether they work for one agency or recipient or multiple agencies or recipients. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 15, Sec.7 and Article 17, Sec. 10.

Effective July 1, 2010, a rate reduction of 5% is implemented for service components and service rate limits for customized living and 24 hour customized living rates provided through the Elderly Waiver. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 17, Section 11.

Effective January 1, 2011, the caseload growth of the Development Disabilities waiver is limited to six additional diversion allocations each month for the calendar year. Under certain conditions the limits on the waivers do not apply. Priorities for the allocation of funds must be for individuals anticipated to be discharged from institutional settings or who are at imminent risk of a placement in an institutional setting. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 25, Sec. 3, Subd. 8 (c).

Effective January 1, 2011, operation of the Minnesota Disability Health Options (MnDHO) program will cease. \$250,000 is appropriated during fiscal year 2011 for the commissioner to make available to county agencies to assist in the transition of individuals to fee-for-service. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 17, Sec. 13 and Article 25, Sec. 3, subd. 8 (g).

The implementation of nursing facility level-of-care criteria changes is delayed six months to July 1, 2011. These changes were originally enacted during the 2009 legislative session. Current nursing facility level-of-care criteria will remain in effect until the new implementation date. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 24, Section 12.

The implementation of the Essential Community Supports program is delayed six months to July 1, 2011. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 17, section 14. Amends *Minnesota Laws 2009*, Chapter 79, Article 8, Section 51.

For questions regarding Medical Assistance continuing care and home and community-based waivers and payment rates, contact Amy Dellwo at the Minnesota Department of Human Services, Continuing Care Administration, P.O. Box 64974, St. Paul, MN 55164-0974; phone (651) 431-2585.

## **Metropolitan Council**

### **Notice of Public Hearing on Adoption of Public Housing Agency Plan and Local Preference for the Section 8 Program**

The Metropolitan Council's Community Development Committee will conduct a public hearing to receive public comment on the proposed 2011 Public Housing Agency (PHA) Plan and adoption of a preference for the Section 8 Housing Choice Voucher Program.

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The PHA Plan is a comprehensive guide to public housing agency policies, programs, operations and strategies for meeting local housing needs and goals. It is submitted with specific attachments and within specific timeframes and according to the format required by the US Department of Housing and Urban Development (HUD).

The proposed local preference to be added to the Section 8 Administrative Plan, Chapter 2, 4.III.C. Selection Method is: Preference will be given to any family that has been terminated from the Housing Choice Voucher (HCV) program due to insufficient program funds.

The Section 8 Administrative plan is an attachment to the PHA Plan.

The public hearing will be held:

4:00 p.m., Monday, August 16, 2010, CDC Meeting  
Metropolitan Council  
Council Chambers  
390 Robert St.  
St. Paul, MN 55101

The Housing Agency Plan is available for public review at the HRA administrative offices located at 390 Robert St., in St. Paul, and on the Metropolitan Council's website at [www.metrocouncil.org](http://www.metrocouncil.org). All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Sue Putz at **phone:** (651) 602-1584 or **TTY** at (651) 291-0904. Upon request, the Council will provide a reasonable accommodation to persons with disabilities. In addition to speaking at the hearing, comments may be made in the following ways:

- Send comments to: Sue Putz, Metro HRA, 390 Robert St., St. Paul, MN 55101
- Fax comments to: Sue Putz at (651) 602-1313
- Send comments electronically to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Record comments on the Council's Public Comment Line: (651) 602-1500
- TTY: (651) 291-0904
- Comments must be received by 4:00 p.m., Monday, August 16, 2010.

## Department of Transportation (Mn/DOT) Engineering Services Division Office of Construction and Innovative Contracting Notices of Suspension and Debarment

### NOTICE OF SUSPENSION

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the June 4, 2010 hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris,  
John Thomas Riley, Morris, MN

*Minnesota Statutes*, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

### 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.

### Opportunities for Businesses and Advertisers

The *State Register* is one of the best ways to advertise your grants - 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.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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### Minnesota Housing Finance Agency (MHFA) Notice of Availability of Contract for Review of Section 8 Rent Comparability Studies

The Minnesota Housing Finance Agency, in its role as Contract Administrator on behalf of the US Dept of Housing and Urban Development's (HUD) project-based Section 8 portfolio, is requesting proposals for the purpose of contracting with up to five Minnesota-licensed real estate appraisers to conduct "substantive review" of rent comparability studies prepared by other appraisers, on behalf of Section 8 property owners, in accordance with prevailing HUD guidance.

Work is proposed to start after August 1, 2010.

# State Grants & Loans

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A Request for Proposals will be available by mail from this office through July 16, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 16, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Cam Oyen  
Minnesota Housing Finance Agency  
400 Sibley St, Suite 300  
Saint Paul, MN 55101  
**Phone:** (651) 205-4233

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above **no later than 12:00 PM, Friday July 23, 2010. Late proposals will not be considered.** Fax and email responses **will be** considered; however, the burden of proving timely submission and receipt is upon the responder.

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

**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.

## A Boon in Business Opportunities

The state spends about \$2 billion a year on contracts. 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.

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- Word Search Capability
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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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Minnesota State Colleges and Universities (MnSCU)

### Bemidji State University

#### Notice of Request for Proposal for Designer Selection for Birch Hall Renovation

**NOTICE IS HEREBY GIVEN** that Bemidji State University Request for Proposal (RFP) for architectural and engineering consulting services for the renovation of Birch Hall. To receive a copy of the full RFP, please go to website,

[http://www.bemidjistate.edu/offices/procurement\\_logistics/rfps\\_bids/](http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/)

Proposals are due by 4:00 p.m. CDT, Monday, July 26, 2010 and are to be addressed to Dale Ladig, Bemidji State University, 1500 Birchmont Drive NE #33, Bemidji, MN 56601-2699.

Any questions should be in the form of an RFI and directed to Dale Ladig at **e-mail:** [rladig@bemidjistate.edu](mailto:rladig@bemidjistate.edu)

Late responses will not be considered.

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

## Minnesota State Colleges and Universities (MnSCU)

### Office of the Chancellor, Academic and Student Affairs

#### Request for Proposals for Identifying a Vendor or Vendors Who Specialize in Enterprise Level Learning Management Systems for Higher Education Consortia

The purpose of the Request for Proposal (RFP) is to solicit proposals from experienced higher education LMS vendors. The result should produce a common LMS option or options for all business parties and unit in the MnSCU system. The Office of the Chancellor on behalf of the Minnesota State system intends to enter into a master contract with the successful vendor(s). MnSCU invites vendors of both proprietary systems and Open Source systems to respond to this solicitation.

# State Contracts

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**Department:** Minnesota State Colleges and Universities, Office of the Chancellor  
**Sealed Proposals for:** Learning Management System RFP  
**Will be received by:** Nathan Sorensen, ITS Contract and Purchasing  
Office of the Chancellor  
Wells Fargo Place  
30 7th Street East, Suite 350  
St. Paul, MN 55101-7804

Inquiries about this RFP, and receiving proposals, must be directed to:

Lesley Blicher, Director of IMS Learning and Next Generation Technology  
**Telephone:** (651) 201-1413  
**E-mail:** [lesley.blicher@csu.mnscu.edu](mailto:lesley.blicher@csu.mnscu.edu)

All responses to this RFP must be received no later than 3:00 p.m. Central Standard Time on August 16, 2010.

For a complete copy of the RFP and required submission materials, please visit the RFP website at <http://imsrfp.project.mnscu.edu/>.

## Minnesota State Colleges and Universities (MnSCU) Pine Technical College Request for Proposals to Develop Healthcare Alliance Website

**NOTICE IS HEREBY GIVEN** that Pine Technical College, directly through an award from U.S. Department of Labor Health Care and High Growth and Emerging Industries grant (American Reinvestment and Recovery Act), is seeking proposals for professional and technical services to create an Internet web site that will effectively serve the needs of all Healthcare Alliance audiences.

Interested parties must contact Stefanie Schroeder at (320) 629-5126 or **e-mail:** [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu) to obtain proposal specifications. Proposals submitted by parties without having obtained specifications will not be considered.

Sealed proposals must be submitted to: Stefanie Schroeder, Director of Strategic Initiatives, Pine Technical College, 900 - 4<sup>th</sup> Street S.E., Room 85, Pine City, MN 55063 by 3:00 pm CST July 6, 2010.

Pine Technical College reserves the right to reject any or all proposals or portion thereof, to waive technicalities in bids, and to delay final award for a period of 15 days.

## Minnesota State Collgese and Universities (MnSCU) Ridgewater College Percent for Art Program Call for Existing Art AND Request for Qualifications for Design Work

The Ridgewater College Percent for Art Committee is seeking: 1.) Submissions of original art work to purchase for permanent exhibit in Building D on the Willmar campus of Ridgewater College. The committee will be reviewing portfolios of two dimensional and 3 dimensional works of art. 2.) The committee is also seeking a request for qualifications for the design of 3-dimensional artwork. Selected pieces will be finished in collaboration with students of Ridgewater College and will become part of a permanent art collection.

**PROJECT BACKGROUND:** Ridgewater College is a community and technical college that offers more than 100 educational programs in transfer options and technical education. The college serves more than 5,500 students on its campuses in Willmar and Hutchinson, Minnesota. This spring, Ridgewater College completed the first phase of a building project which added approximately 7900

square feet onto building D of the Willmar campus. This building houses programs for Auto Body, Carpentry, Customized Training & Continuing Education (which includes EMS and Fire training), Electrician, Physical Damage Appraisal, and Welding.

Customized Training & Continuing Education provided 101,000 hours to 17,000 professionals in the areas of: Leadership & Management, Computers, Trade & Industry, OSHA, Technical, EMS, Fire, Law Enforcement, Business, and Distributive Education.

The purchase of art to be placed in building D is made possible through the Minnesota Percent for Art in Public Spaces program. In 1983, the Minnesota State Legislature enacted a law which states in part that “an appropriation for the construction or alteration of any state building may contain an amount not to exceed the lesser of \$100,000 or one percent of the total appropriation of the building for the acquisition of works of art...” The amount available for this art acquisition is \$22,000.

**COLLEGE MISSION:** Ridgewater College provides quality educational opportunities for diverse student learners in an inclusive, supportive, and accessible environment.

Materials must be received by Friday, August 6, 2010 (not postmarked). Please send responses to:

Ridgewater College  
Attn: Kathy Schwantes  
2101 - 15<sup>th</sup> Ave. NW  
P.O. Box 1097  
Willmar, MN 56201

**PROJECT THEMES AND OBJECTIVES:** Artists should take into account the mission of Ridgewater College and programs housed within building D. Building D serves students in Auto Body, Carpentry, Customized Training & Continuing Education (which includes EMS and Fire training), Electrician, Physical Damage Appraisal, and Welding. The artwork should also enhance and beautify the facility, be thought-provoking but not confrontational, and bring about an appreciation for art. The art must be durable, low-maintenance, safe, and original.

**REQUEST FOR EXISTING ART:** The Ridgewater College Percent for Art Committee is seeking ready-to-display pieces that are either two or three dimensional and that reflect the theme of the building. The committee will consider both individual pieces and collections. Portfolios should contain a minimum of:

- Cover letter with contact information
- Resume
- Digital Images in standard JPEG format, 1920 x 1920 pixels, stored on a CD or DVD (websites, slides, PowerPoint or emailed /website portfolios will **NOT** be considered)
- Price listing, including title, dimensions and description of the work
- Self addressed envelope (if the artist would like materials returned)

Submissions should be mailed to:

Ridgewater College  
Attn: Kathy Schwantes  
2101 - 15<sup>th</sup> Ave. NW  
P.O. Box 1097  
Willmar, MN 56201

**Submissions must be received by Friday, August 6, 2010 to be considered.** Artist's submissions will be reviewed by a committee of employees of Ridgewater College and a representative of the art community.

**REQUEST FOR QUALIFICATION FOR 2 DESIGNS FOR ART WORK:** The Ridgewater College Percent for Art Committee is seeking the design for two projects: 1.) Interior artwork for Building D main entrance and 2.) Exterior artwork for the west wall – next to welding (door 12).

For interior artwork in Building D's main entrance (see Attachment A for pictures and architects drawing), the artist may consider a variety of glass art methods, including treatment of existing window frames, framed glass mounted within the window frames, or a glass mobile mounted in the center of the foyer. Artwork should contain color, reflect light, and add visual richness and texture. Request for

# State Contracts

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qualifications should include:

- Letter of interest with contact information
- Resume
- Examples of work
- Three (3) references

The Percent for Arts Committee will pay up to \$8,000 for this piece, (from design to installation). Existing art will also be considered for this project.

Submissions should be mailed to:

Ridgewater College  
Attn: Kathy Schwantes  
2101 - 15<sup>th</sup> Ave. NW  
P.O. Box 1097  
Willmar, MN 56201

**Submissions must be received by Friday, August 6, 2010 to be considered.**

Exterior artwork for the west wall should be a 3-D mountable metal sculpture representing the technical programs housed in the building. This project is to be fabricated and finished in collaboration with Ridgewater College students within the technical program served by this project. The dimensions of the art space are approximately 8' x 16' (See Attachment B for picture) Request for qualifications should include:

- Letter of interest with contact information
- Resume
- Examples of work
- Three (3) references

Artist's submissions will be reviewed by a committee of employees of Ridgewater College and a representative of the art community. Finalists will have approximately six weeks to prepare preliminary concepts. The committee will then interview a finalist(s) and a selection will be made. A stipend of up to \$500 for 2 concepts will be paid to the artist, with another \$1,500 paid upon completion of the project. There will be a budget for materials of up to \$3,000, and will be purchased through Ridgewater College's welding program.

Any Minnesota artist is eligible for this request, and may apply for one or more of the opportunities mentioned above. All applicants are encouraged to visit the site Monday-Friday from 8:00 a.m. – 4:00 p.m. (except holidays). Staff is available for personal tours on Thursday, July 8 or Tuesday, July 13 from 10:00-12:00. If a personal tour of the facility is desired, you may contact Kathy Schwantes at (320) 222-5206, Dave Korsmo at (320) 894-4030 or Deb Rodelius at (320) 222-6060.

Dated: June 2010

## Minnesota Department of Education Notice of Request for Proposals for Contract for Estimation of Cost and Financing Mechanisms of Minnesota's Early Childhood System

The Minnesota's Department of Education is responsible for providing technical assistance and administrative support for Minnesota's Early Childhood Advisory Council (ECAC). Minnesota's ECAC has been charged with making recommendations for increasing the overall participation of children in programs and on the most efficient and effective ways to leverage state and federal funding. ECAC applied for and will receive American Recovery and Reinvestment Act funds. One activity will be to identify the cost and funding mechanisms for various components of an early childhood system. The Minnesota Department of Education is soliciting proposals to assist in discerning costs of early childhood system components, as well as of potential changes and additions to improve current system.

The contractor will be required to research, analyze and present cost drivers and financing mechanisms of early childhood system

components. The contractor will be responsible for determining accurate unit costs based on information provided by ECAC. Unit costs will be analyzed in relationship to child risk factors, varied assumptions about the alignment of these risk factors to the various components and differentials within components (i.e., adult/child ration, group size, service intensity, teacher/provider qualifications, wage levels). The contractor will derive system cost estimates from unit costs and present various scenarios to ECAC.

Work is proposed to start August, 2010, through December 30, 2011. The total estimated amount of dollars set aside for this project is \$100,000. This amount takes into account all expenses for travel, if necessary to perform work duties, for duplication of materials and meeting costs.

A Request for Proposals will be available by email from this office through **July 19, 2010, 3:00 pm, Central Daylight Saving Time. After July 19, 2010, 3:00 pm, Central Daylight Saving Time, the proposal must be picked up in person.**

A written or email request to Sophie Oliver is required to receive a copy of the Request for Proposal.

The Request for Proposal can be obtained from:

Sophie Oliver  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, Minnesota 55113-4266  
**Phone:** (651) 582-8307  
**E-mail:** [sophie.oliver@state.mn.us](mailto:sophie.oliver@state.mn.us)

No requests may be submitted through fax. Proposals submitted in response to the Request for Proposals must be received at the address indicated in the Request for Proposal document no later than **Monday, July 26, 2010, 3:00 pm, Central Daylight Savings Time.** Late proposals will NOT be considered. Fax or emailed proposals will NOT be considered. Please refer to the request for proposals for further information on who to submit the proposal to and contents of the proposal.

This request does not obligate the State to complete the work contemplated in this notice or award a contract. The State reserves the right to cancel this solicitation/RFP. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Education

### Notice of Availability of Contract for Mentoring and Coaching Community of Practice

The Minnesota Department of Education is soliciting proposals for the development and implementation of a mentor and coach community of practice to enhance practitioner understanding and use of early learning standards, instructional practice and quality programs standards. Federal funds are available from American Recovery and Reinvestment Act (ARRA).

Minnesota's Department of Education is responsible for providing technical assistance and administrative support for Minnesota's Early Childhood Advisory Council (ECAC). ECAC applied for and will receive American Recovery and Reinvestment Act funds to support this activity. This project will assist current early childhood teachers/practitioners in gaining knowledge and skill regarding how to provide compensatory education by embedding information on child and programs standards in the work of mentors and coaches. The teachers they work with will then put into practice the standards for children and programs in ways that impact everyday practice in classrooms and home-based settings.

The contractor will be responsible for researching and reviewing Curriculum and materials already designed in mentoring and coaching, early learning standards, programs standards, and effective instruction. The contractor will write curriculum for 30 hours of training to be approved by the Departments of Education and Human Services. They will recruit, train, and reimburse an expected cadre consisting of 24 master mentors and a second round of 48 mentees. They will format and facilitate virtual communities of practice. Some of the funds for this project will be set aside so contractor can reimburse mentors and mentees for their time.

# State Contracts

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Work is proposed to start late August, 2010 and end June 30, 2013.

A copy of the Request for Proposals will be available by mail or email from this office through **July 19, 2010, 3:00 pm, Central Daylight Saving Time.**

A written or email request to Sophie Oliver is required to receive a copy of the Request for Proposal. After July 19, 2010, 3:00 pm, Central Daylight Saving Time, the proposal must be picked up in person.

The Request for Proposal can be obtained from:

Sophie Oliver

**Phone:** (651) 582-8307

**E-mail:** *sophie.oliver@state.mn.us*

No requests may be submitted through fax.

Proposals submitted in response to the Request for Proposals must be received at the address above no later than **Monday, July 26, 2010, 3:00 pm, Central Daylight Saving Time.** Late proposals will NOT be considered. Fax or emailed proposals will NOT be considered. Please refer to the instructions in the request for proposal document.

This request does not obligate the State to complete the work contemplated in this notice or award a contract. The State reserves the right to cancel this solicitation/RFP. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Historical Society (MHS)

### Notice of Request for PROPOSALS for Audience Survey, Research, Analysis, and Reporting Services for Historic Forestville Historic Site

The Minnesota Historical Society is hereby issuing a Request for Proposals (RFP) from qualified firms and individuals to provide professional Audience Survey, Research, Analysis, and Reporting services to aid in Public Program Planning for the Society's Historic Forestville Historic Site located within the boundaries of the Forestville State Park near Preston in Fillmore County, Minnesota.

The Society expects work on these services to begin immediately after the contract is awarded in late July, 2010, and work must be completed within ninety (90) days of the consultant receiving its official notice to proceed.

The Request for Proposals is available from Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society at:  
*mary.green-toussaint@mnhs.org.*

All proposals must be received no later than 2:00 p.m., Local Time, Thursday, July 15, 2010. Late proposals will not be considered.

Dated: June 28, 2010

**Minnesota Department of Human Services (DHS)****Disability Services Division****Notice of Request for Proposals to Develop Provider Standards and Licensing Requirements for Residential Support Services, and Quality Outcome Standards Governing Services for People with Disabilities Receiving Services under the Home and Community-Based Waiver Services Programs**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to develop statutory language and an implementation plan for licensing requirements for residential support services, and a single set of quality outcome standards for home and community-based services (HCBS) disability waiver services.

Work is proposed to start August 30, 2010. For more information, or to obtain a copy of the Request for Proposal, contact:

Jason Flint  
Department of Human Services  
Disability Services Division  
P.O. Box 64967  
444 Lafayette Road North  
St. Paul, MN 551550967  
**Phone:** (651) 431-2577  
**E-mail:** [jason.a.flint@state.mn.us](mailto:jason.a.flint@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **12:00 p.m., Central Daylight Time, July 23, 2010. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

**Department of Natural Resources (DNR)****Notice of Contract for Conducting and Completing the Third-party Re-certification Assessments and Subsequent Annual Surveying Audits****CERTIFICATION # 22321**

Notice of Availability of Contract for conducting and completing the third-party re-certification assessments and subsequent annual surveying audits to the FSC, SFI and/or a different forest management standard on 4.9 million acres of DNR-administered forestlands.

The Minnesota Department of Natural Resources is requesting proposals for the purpose of Forest Certification of 5-year and 3-year comprehensive re-certification assessment audits and subsequent annual surveillance audits.

Work is proposed to start after August 2010.

A Request for Proposals will be available by mail from this office through June 30, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After June 30, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Rebecca Barnard, Forest Certification Coordinator  
Department of Natural Resources  
500 Lafayette Road

# State Contracts

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St. Paul, MN 55155-4044

**E-mail:** [Rebecca.Barnard@state.mn.us](mailto:Rebecca.Barnard@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 **2:00 p.m. Central Daylight Time, July 14, 2010. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

## Minnesota Department of Natural Resources (DNR) Notice of Hearing on Sale of State Land in Hennepin 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 Greenfield Town Hall, 6390 Town Hall Drive, Greenfield, Minnesota, on July 16, 2010 at 10:00a.m.

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

NESW of Section 27, Township 119, Range 24, Outlot A, Block 1, Schendel Woods, containing 13.92 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 Schendel Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources first to state agencies and the University of Minnesota; then to local units of government; and if still available, offer at public sale. 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.M.Dehn@dnr.state.mn.us](mailto:Jodi.M.Dehn@dnr.state.mn.us).

Dated: 21 June 2010

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

## Minnesota Department of Public Safety (DPS) Driver and Vehicle Services Division: Notice of Request for Proposals to Solicit and Sell Advertising for the Minnesota Drivers Manuals

The Minnesota Department of Public Safety, Driver & Vehicle Services Division is requesting proposals for the purpose of seeking qualified vendors to provide professional technical services to the State of Minnesota.

Qualified vendors shall be considered who have:

- 1) background and experience with the sale and production of advertising, production and printing of publications, and familiarity or experience working with governmental interests.

2) experience in identifying potential advertisers appropriate for the publication material, and target market audience.

Work is anticipated to start on or after November 1, 2010.

Details are contained in a complete Request for Proposal (RFP) that may be obtained by contacting the following person:

Patrick Martineau, Contract Coordinator  
Department of Public Safety, Driver & Vehicle Services  
445 Minnesota Street, Suite 196, St. Paul, MN 55101  
**Phone:** (651) 201-7632  
**Fax:** (651) 797-1194  
**E-mail:** *patrick.martineau@state.mn.us*

All questions concerning this RFP should be in writing and e-mailed or faxed to the above address no later than 2:00 P.M. Central Daylight Time (CDT) on Friday, July 23, 2010. All answers to questions will be in writing and sent to all entities requesting a complete RFP by the end of business day on Friday, July 30, 2010. Final date for submitting proposals is **2:00 P.M. CDT on Friday, August 6, 2010**. Late proposals will NOT be considered. Faxed or e-mailed proposals will NOT be considered. The Department of Public Safety will retain an option to extend the contract for three additional one-year periods.

This request for proposal 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.

## **Minnesota Department of Public Safety (DPS) Driver and Vehicle Services Division (DVS) Re-Posting of Notice of Request for Proposals (RFP) Consultant Services to Write, Develop, and Evaluate RFP for Minnesota Drivers License and Identification Card**

The Minnesota Department of Public Safety is requesting proposals from a qualified consultant(s) to research and write the necessary Request for Proposals documents required to implement a new Drivers License/Identification card contract. The consultant(s) will ensure that AAMVA security features with appropriate specifications for issuance of tamper resistant Minnesota Drivers License/Identification cards are incorporated into the RFP document. In addition, this individual will assist the DVS Evaluation Team and act as a resource during the RFP evaluation process.

**DVS will provide equipment for the consultant(s) to complete assigned tasks.**

Work is anticipated to begin on or after August 2, 2010 and be completed on or before November 30, 2011. However, if funding is available and assistance is **still necessary, DVS will retain an option to extend the contract for an additional one-year period.**

Details are contained in a complete Request for Proposals (RFP) which may be obtained by contacting Dawn Olson directly by mail, or e-mail, as stated below:

Dawn Olson  
Department of Public Safety  
445 Minnesota Street, Ste 195  
Saint Paul, Minnesota 55101  
**E-mail:** *DVS.Admin@state.mn.us*

All questions concerning this RFP should be e-mailed to Dawn Olson, *DVS.Admin@state.mn.us* and received no later than 2:00 p.m. Central Daylight Time on Tuesday, July 6, 2010. Answers to questions are anticipated to be e-mailed to all entities requesting a complete RFP by the end of workday on Wednesday, July 7, 2010. Proposals submitted in response to this RFP must be received at the DPS Reception Desk (if hand delivered or delivered by messenger) or via US Mail at the following address:

Dawn Olson

# State Contracts

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Minnesota Department of Public Safety  
Attn. "RFP: State of Minnesota Driver License RFP"  
DPS Reception Desk  
445 Minnesota Street, Ste 195  
St. Paul, MN 55101-5195

Deadline for proposals are due no later than 2:00 pm Central Daylight Time on Monday, July 19, 2010 as indicated by the time stamp made by the Department of Public Safety Reception Desk or the DPS mail room. Late proposals will NOT be considered. Fax or e-mailed proposals will NOT be considered. See the RFP for detailed requirements about the media and content of the proposals.

This RFP 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 Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

**Contact:** Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginis@state.mn.us](mailto:melissa.mcginis@state.mn.us)  
**Telephone:** (651) 366-4644

**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

**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.

## State Contracts

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### Minnesota Department of Transportation (Mn/DOT)

#### Regional Traffic Management Center/Policy Analysis, Research and Innovation

#### Request for Proposals (RFP) for Changeable Message Signs “Manual of Practice” and Training Materials Development and Implementation

According to Mn/DOT’s Strategic Vision *Your Destination, Our Priority*, one of the core values of the Department is to maintain safety as a priority. In addition, a key Strategic Direction of the Department is to reduce congestion using Innovation. Both of these visions are served with the proper language on Changeable Message Signs/Digital Message Signs (CMS/DMS); both temporary (construction, maintenance, etc) and permanent for the Regional Traffic Management Center (RTMC). The goal of this research is to develop a document similar to other states (Texas, California, etc.) which documents experience and guidance for RTMC Staff, Construction and Maintenance, and the Minnesota Department of Public Safety in the proper messaging to use on CMS, both Permanent and Temporary. The messages should provide traveler information without negatively impacting (causing people to slow down to read the message) both freeway traffic and safety for all situations that a changeable message sign is in use. This includes work zone safety, RTMC operations and temporary work zone safety; outstate operation (road, weather, snowplows, etc.)

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator  
**E-mail:** [ashley.duran@state.mn.us](mailto:ashley.duran@state.mn.us)  
**Telephone:** (651) 366-4627

Note: RESPONSES WILL BE DUE ON AUGUST 11, 2010 AT 2:00 PM CENTRAL DAYLIGHT TIME.

## Minnesota Zoo

### Request for Proposals for Advertising Creative Services

The Minnesota Zoo is soliciting Request for Proposals from qualified advertising agencies for an advertising creative services contract.

Details are included in the complete Request for Proposals which is available by **e-mailing** Bill Von Bank, Director of Marketing at the Minnesota Zoo at [bill.vonbank@state.mn.us](mailto:bill.vonbank@state.mn.us). Proposals are due by 3:00 p.m. on July 27, 2010.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo 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 Zoo

### Request for Proposals from Qualified and Experienced Architect and Engineer Teams to Provide Comprehensive Contract Documents for the Black Bear Exhibit and 1300 Square Foot Animal Holding Building

The Minnesota Zoo is not looking for a zoo designer; but rather at team to review and provide code compliant documents as well as contract administration. The Zoo will provide internal zoo design services.

Details are included in the complete Request for Proposals which is available by **e-mailing** Angie Guggisberg, Minnesota Zoo Project Manager at [angie.guggisberg@state.mn.us](mailto:angie.guggisberg@state.mn.us). The deadline for submitting a proposal is 11:00AM., CST, July 16, 2010.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo 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.

### 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.

### Lower Costs; Increase Profits

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us). Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

## Dakota County

### Transportation Department

#### Request for Proposals for Engineering Services for Cedar Avenue/County State Aid Highway (CSAH) 23 Bus Rapid Transit Station Siting Project

**NOTICE IS HEREBY GIVEN** that Dakota County Public Works, as the lead agency, is seeking qualified firms to provide services for station siting project for Cedar Avenue (CSAH 23) at four different locations in the City of Lakeville. Qualified firms will have experience in Planning, Traffic Studies and Forecasting, Public and Agency Involvement, Environmental Documentation and Layout Development and Analysis. The project work will commence immediately upon selection of the consultant. The consultant will prepare a project schedule based on a start date of August 27, 2010 and a target date of March 15, 2011 for completion of the siting project.

# Non-State Bids, Contracts & Grants

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The siting project for Cedar Avenue Transitway will include four station stops: 161<sup>st</sup>/162<sup>nd</sup>, Glacier Way, 195<sup>th</sup> St, and 215<sup>th</sup> St.

The following is the anticipated solicitation schedule:

- RFP Issued: June 21, 2010
- Proposals Due: July 26, 2010
- Selection of Consultant /Interview Listing: August 4, 2010
- Conduct Interviews (if needed): August 6, 2010
- Regional Railroad Authority: August 24, 2010
- Anticipated Study Completion: March 15, 2011

All firms interested in receiving a RFP may contact:

John Sass

**Phone:** (952) 891-7130

**E-mail:** [john.sass@co.dakota.mn.us](mailto:john.sass@co.dakota.mn.us)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh Notice of Call for Bids for MAC 2010 Miscellaneous Modifications Bid Package 1

**MAC Contract No.:** 106-2-609  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour. The work includes several small projects at the Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh to include minor demolition, concrete, steel, miscellaneous metals, metal fabrications, doors, windows, curtain wall, carpeting, painting, and resilient flooring.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 2%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding Documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

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# Non-State Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport

#### Notice of Call for Bids for MAC 2010 Miscellaneous Modifications - Bid Package No. 2

**MAC Contract No.:** 106-2-623  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for General, Mechanical, and Electrical Construction.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 4%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Miller Dunwiddie Architecture, Inc.; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Miller Dunwiddie Architecture, Inc.; 123 North Third Street, Suite 104; Minneapolis, Minnesota 55401; **phone:** (612) 337-0000; **fax:** (612) 337-0031. Make checks payable to Miller Dunwiddie Architecture, Inc. Deposit per set (refundable) \$100.00, Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh

#### Notice of Call for Bids for Passenger Screening Improvements-Phase 3

**MAC Contract No.:** 106-2-629  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of General, Mechanical, and Electrical interior remodeling work bid as a single lump sum contract with add alternates.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

# Non-State Bids, Contracts & Grants

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**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## **Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh Notice of Call for Bids for Tug Drive Floor Waterproofing & Rehabilitation—Phase 4**

**MAC Contract No.:** 106-2-613  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes repair of the tug drive structural slab and waterproofing of the same.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## **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.

# STATE REGISTER

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