

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's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines									
Vol. 35	PUBLISH DATE			Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts				Deadline for Proposed, Adopted and Exempt RULES	
Issue Number	(BOLDFACE shows altered publish date)								
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# 29	Monday	17	January	Noon Tuesday	11	January	Noon Wednesday	5	January 2011
# 30	Monday	24	January	Noon Tuesday	18	January	Noon Wednesday	12	January
# 31	Monday	31	January	Noon Tuesday	25	January	Noon Wednesday	19	January

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State Office Building, Room 175,  
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St. Paul, MN 55155 **Website:** [www.mncourts.gov](http://www.mncourts.gov)

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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. 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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# Adopted Rules

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

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

## Department of Revenue

### Adopted Permanent Rules Relating to Practice before the Department of Revenue

The rules proposed and published at *State Register*, Volume 34, Number 50, pages 1755-1759, June 14, 2010 (34 SR 1755), are adopted with the following modifications:

#### **8052.0300 PRACTICE OF ATTORNEYS, ACCOUNTANTS, AGENTS, AND PREPARERS BEFORE DEPARTMENT OF REVENUE.**

Subp. 2. **Scope of representation pursuant to power of attorney.** When authorized by the taxpayer through a written power of attorney, an attorney, accountant, agent, or preparer may appear as the taxpayer's representative, without the taxpayer, before an employee of the Department of Revenue with respect to the tax liability of the taxpayer for the type of tax and taxable year or period authorized in the power of attorney. A written power of attorney is not required if the taxpayer is present. For purposes of this part, "written power of attorney" means the signed original or a copy of the signed original of any of the following:

D. any other document which has all the necessary legal elements for creating a power of attorney and is broad enough to ~~cover taxes~~ include tax matters or generally to include all matters.

For purposes of this part, a power of attorney grants authority to deal with any return as defined in *Minnesota Statutes*, section 270C.01, subdivision 8.

For taxes which are classified as private data on individuals or nonpublic data not on individuals, a taxpayer representative may inspect only those state records, files, or documents which are: (a) specifically listed in; (b) directly or indirectly connected with matters specifically listed in; or (c) covered by the terms of, a power of attorney. The signed power of attorney form may be transmitted to the Department of Revenue by facsimile or by electronic transmission as an imaged attachment in a format that cannot be altered.

If the taxpayer is not present, a person presenting a power of attorney shall present identification satisfactory to the department employee.

Subp. 3. **Persons ineligible to practice.** A person shall be ineligible to appear as a taxpayer representative under this part, if the person is:

C. barred or suspended from practice as an attorney; or certified public accountant; ~~or licensed public accountant~~ in the state of Minnesota;

E. a former employee of the Department of Revenue, to the extent provided in *Minnesota Statutes*, section 270C.10.

However, with regard to items C and D, a granting of reinstatement to practice as an attorney; or certified public accountant, ~~or licensed public accountant;~~ or a granting of reinstatement to practice before the Internal Revenue Service shall automatically reinstate a person's eligibility to practice before the Department of Revenue if the person is not otherwise ineligible under item A, B, or E.

# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

## Department of Natural Resources (DNR) Adopted Exempt Permanent Game and Fish Rules Relating to Trout Streams and Lakes

### Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, sections 97C.005.

Dated: December 17, 2010

Mark Holsten, Commissioner  
Department of Natural Resources

#### 6264.0050 RESTRICTIONS ON DESIGNATED TROUT LAKES AND STREAMS.

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

Subp. 2. **Listing of designated trout lakes.** The following described lakes are designated as trout lakes:

Name	Location		
	Section	Township	Range
[For text of items A to F, see M.R.]			
G. Cass County:			
(1) Diamond Lake	26, 27, 34	141	30W
(2) Hazel Lake	25	141	29W
(3) Margaret Lake	16	139	26W
(4) Marion Lake	16, 17	139	26W
(5) Perch Lake	33	139	31W
(6) Snowshoe (Little Andrus) Lake	29, 30	139	26W
(7) Teepee Lake	30	141	29W
	25	141	30W
(8) Willard Lake	15	139	30W

[For text of items H to O, see M.R.]

[For text of subps 3 and 4, see M.R.]

# 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

### Executive Order # 11-01: Directing Early Enrollment in Medical Assistance

**I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the Patient Protection and Affordable Care Act (“the Act”), Pub. L. No. 111-148, was signed into law by President Barack Obama on March 23, 2010, and has been amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and

**WHEREAS**, section 2001 of the Act establishes an optional new eligibility group for states to receive federal Medical Assistance payments to provide health care to the lowest income adults; and

**WHEREAS**, there is already a significant cost to the state of providing health care to this population without the federal Medical Assistance matching payments; and

**WHEREAS**, the population served by expanded Medical Assistance will include nearly 95,000 struggling Minnesotans who desperately need better quality care and would start receiving high-quality health care coverage once this program is implemented, while saving an estimated 20,000 health care sector jobs; and

**WHEREAS**, the State stands to lose between \$30 and \$40 million per month in federal payments if implementation is delayed; and

**WHEREAS**, the Legislature has already appropriated \$188 million to implement the program; and

**WHEREAS**, the State will collect approximately \$1.2 billion from the federal government, a better than 6-to-1 return on the state's investment; and

**WHEREAS**, *Laws of Minnesota 2010*, First Special Session, chapter 1, article 16, section 48, provides that, from the start of my term until January 15, 2011, I may by executive order direct the Commissioner of Human Services to implement sections 5 to 7 and 20 of article 16; and

**WHEREAS**, I have considered the cost of implementation and the availability of funds in the state treasury, the potential for increased federal funding, the effect of implementation on access to health care services in the state, and alternative approaches that may be available to pursue policy goals; and

**WHEREAS**, the State Medicaid Director on May 8, 2010, indicated that it would take 45 days after enactment to begin the initial implementation of expanded Medical Assistance;

**NOW, THEREFORE**, I hereby direct the Commissioner of Human Services to implement *Laws of Minnesota 2010*, First Special Session, chapter 1, article 16, sections 5 to 7 and 20, providing for early enrollment in Medical Assistance, with implementation to begin no later than March 1, 2011.

Under *Minnesota Statutes*, section 4.035, subdivision 2, this Executive Order is effective 15 days after publication in the *State Register* and filing with the Secretary of State.

# Executive Orders

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In Testimony Whereof, I have set my hand this 5th day of January 2011.

Signed: **Mark Dayton**  
**Governor**

Filed According to Law:

Signed: **Mark Ritchie**  
**Secretary of State**

## Office of the Governor

### Executive Order # 11-02: Removing Ban on Requests for Federal Assistance; Rescinding Executive Order 10-12

I, **MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the Patient Protection and Affordable Care Act, Pub. L. No. 111-148 (Mar. 23, 2010), authorizes programs of federal assistance to states that desire to improve the availability and quality of health care to their residents; and

**WHEREAS**, Executive Order 10-12 (Aug. 31, 2010) prohibits executive branch departments and agencies from submitting to the federal government requests for grants to fund programs or demonstration projects deriving from the act unless otherwise required bylaw or approved by the office of the Governor; and

**WHEREAS**, the ban imposed by Executive Order 10-12 limits the ability of Minnesotans to fully benefit from federal funding that will improve the quality of health care while protecting Minnesota jobs and is not in the best interests of the people of this state;

**NOW, THEREFORE**, Executive Order 10-12 is rescinded.

Under Minnesota Statutes, section 4.035, subdivision 2, this Executive Order is effective 15 days after publication in the State Register and filing with the Secretary of State.

In Testimony Whereof, I have set my hand this 5th day of January 2011.

Signed: **Mark Dayton**  
**Governor**

Filed According to Law:

Signed: **Mark Ritchie**  
**Secretary of State**

# Commissioners' Orders

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

## Department of Natural Resources (DNR)

### Commissioner's Order – AMA 10-002: Designation of Aquatic Management Areas

<b>EFFECTIVE DATE:</b>	<b>Dec 31, 2010</b>
<b>Statutory authority:</b>	<b>MS 86A.07, Subd 3(2), and 86A.05, Subd 14</b>
<b>Supercedes:</b>	<b>N/A</b>

WHEREAS, certain lands in Minnesota, described as:

#### **Bad Medicine Lake AMA, Parcels 4,6,7, and 8, Becker County**

Lots 5 and 6 of Block 4 and Lots 2 and 3 of Block 5, SHANG-RI-LA according to the plat on file and of record in the Office of the Recorder, Becker County, Minnesota

#### **Bad Medicine Lake AMA, Parcels 1,2, and 5, Becker County**

Lots 1, 3 and 4 of Block 4, SHANG-RI-LA according to the plat on file and of record in the Office of the Recorder, Becker County, Minnesota

#### **Bad Medicine Lake AMA, Parcel 11, Becker County**

Lots 1 of Block 7, SHANG-RI-LA according to the plat on file and of record in the Office of the Recorder, Becker County, Minnesota

#### **Bucks Mill AMA P4, Becker County**

That part of Government Lot 3, of Section 36, Township 138 North, Range 42 West, Becker County, Minnesota, lying northwesterly of the following described line:

Commencing at the southeast corner of said GL 3, marked by a ½" iron pipe; thence on a bearing based on the Becker County Coordinate System of 1983 of North 89° 22' 40" West along the south line of said Government Lot 3 a distance of 480.50 feet to a ¾" by 24" rebar with plastic cap stamped "MN DNR LS 17005" (DNR Monument) and the point of beginning of the line to be described; thence North 23° 26' 45" East 962.54 feet to a DNR Monument; thence continuing North 23° 26' 45" East 69 feet, more or less to the water's edge of Buck Lake and there terminating, including all riparian rights to the contained 29.2 acres, more or less.

#### **Camp Cuyuna AMA P2, Crow Wing County**

Government Lots 4 and 5 and the Southeast Quarter of the Northwest Quarter, all in Section 12, Township 137 North, Range 27 West, Crow Wing County, Minnesota.

#### **Camp Miller AMA P1, Pine County**

The S1/2 of NW1/4, NE1/4 of NW1/4, and the NW1/4 of SW1/4 [all also known as GL 4] except that part of the NE1/4 of NW1/4 lying westerly and northwesterly of Long Lake as it now exists, the NW1/4 of NE ¼, Gov. Lots 1, 2 and 3, all in S17, T45, R19.

EXCEPTING AND EXCLUDING therefrom the following described parcels:

**1. That part of GL 1, S17, T45, R19, described as follows, to-wit:** Starting on the forty line 642.23 feet West of the Northeast corner of GL 1, S17, T45, R19, thence making an angle of 62° 41' with above said forty line and going Southeasterly a distance of 136.5 feet to the point of beginning of the tract to be herein conveyed; thence going at right angles Southwesterly a distance of 100.0 feet; thence going at right angles Southeasterly a distance of 220.0 feet, more or less, to the shore of Sturgeon Lake; thence going along said shore line Northeasterly a distance of 100.0 feet; thence going Northwesterly 218.5 feet, more or less, to the point of beginning. The same being part of GL1, S17, and containing 0.50 acre. Together with a right of way or easement for ingress and egress to and from the above described parcel, over and across said GL1, and the S ½ of NW ¼ of said S17, for the purpose of getting to and from said property to the County

# Commissioner's Orders

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Public road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot C on the drawing attached as Exhibit A-1).

**2. That part of GL 1, S17, T45, R19**, described as follows, to-wit: For the purpose of this description the North line of GL1, S17-T45-R19W is assumed to be a true East and West line: Beginning at a point which is 410.25 feet South and 915.82 feet West of the Northeast corner of said GL 1, thence on a bearing of South 48° 59' West a distance of 100 feet, thence on a bearing of South 43° 43' East a distance of 345 feet, more or less, to the shore of Sturgeon Lake, thence Northeasterly on said shore line 100 feet, more or less, to a point which bears South 43° 43' East from the point of beginning, thence bearing North 43° 43' West 329.47 feet, more or less, to the point of beginning, containing 0.77 acres, more or less. Together with a right of way or easement for ingress and egress to and from the above described parcel, over and across said GL 1, and the S ½ of NW ¼ of said S17, for the purpose of getting to and from said property, to the County Public road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 4 on the drawing attached as Exhibit A-1).

**3. A tract of land in GL 1 of S17, T45, R19**, more particularly described as follows, to-wit: For the purposes of this description of the North line of GL 1 of S17, T45, R19 is assumed to be a true East and West line: Beginning at a point which is 481.66 feet South and 985.74 feet West of the Northeast corner of said GL 1; thence bearing South 37° 23' West a distance of 100 feet, thence bearing South 43° 22' East a distance of 375.17 feet, more or less, to the shore of Sturgeon Lake, thence in a Northeasterly direction on said shore line 100 feet, more or less, to a point which bears South 43° 43' East from the point of beginning, thence bearing North 43° 43' West, a distance of 378.08 feet, more or less, to point of beginning. Together with a right-of-way easement for ingress and egress to and from the above described parcel over and across GL 1 and the S ½ of NW ¼ of Said S17, for the purpose of getting to and from said property to the County Public Road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 5 on the drawing attached as Exhibit A-1).

**4. A tract of land in GL 1, of S17, T45, R19**, more particularly described as follows, to-wit: For the purposes of this description the North line of GL 1 of S17, T45, R19 is assumed to be a true East and West line: Beginning at a point which is 640.58 feet South and 1107.17 feet West of the Northeast corner of said GL 1, thence bearing South 37° 23' West a distance of 62.0 feet, thence bearing South 41° 55' West a distance of 38.0 feet, thence bearing South 42° 43' East a distance of 437.34 feet, more or less, to the shore of Sturgeon Lake, thence Northeasterly on said shore line a distance of 100 feet, more or less, to a point which bears South 42° 59' East from the point of beginning, thence bearing North 42° 59' West a distance of 412.27', more or less, to the point of beginning. Together with a right-of-way easement for ingress and egress to and from the above described parcel over and across GL 1 and the S ½ of NW ¼ of said S17 for the purpose of getting to and from said property to the County Public Road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 7 on the drawing attached as Exhibit A-1).

**5. That part of GL 1, in S17, T45, R19**, Pine County, Minnesota, described as follows, to-wit: For the purpose of this description the North line of GL 1 in said S17-T45-R19 is assumed to be a true East and West line. Beginning at a point which is 191.165 feet South and 656.05 feet West of the NE corner of said GL 1; thence on a bearing of South 53° 15' West a distance of 69.54 feet; thence on a bearing of South 48° 59' West a distance of 43.0 feet; thence on a bearing of South 32° 47' East a distance of 330 feet, more or less, to the shore of Sturgeon Lake, thence Northeasterly on said shore line a distance of 100 feet, more or less, to a point which bears South 27° 19' East from the point of beginning; thence bearing North 27° 19' West a distance of 315 feet, more or less, to the point of beginning. Together with a right-of-way or easement for ingress and egress to and from the above described parcel over and across GL 1 and the S ½ of NW ¼ of said S17, for the purpose of getting to and from said property to the County Public Road which runs in a North and South direction on the west side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 1 on the drawing attached as Exhibit A-1).

**6. That part of GL 1, in S17, T45, R19**, described as follows, to-wit: For the purpose of this description the North line of GL 1 in said Section17-T45-R19 is assumed to be a true East and West line. Beginning at a point which is 260.98 feet South and 744.21 feet West of the Northeast corner of said GL 1, thence on a bearing South 48° 59' West a distance of 113.72 feet; thence on a bearing South 38° 15' East 315 feet, more or less, to the shore of Sturgeon Lake; thence Northeasterly on said shoreline 100 feet, more or less, to a point which bears South 32° 47' East from the point of beginning; thence North 32° 47' West 330 feet, more or less, to the point of beginning. Together with a right-of-way or easement for ingress and egress to and from the above described parcel, over and across GL 1 and the S ½ of NW ¼ of said S17, for the purpose of getting to and from said property, to the County Public Road, which runs in a North and South direction on the west side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 2 on the drawing attached as Exhibit A-1).

**7. A tract of land in GL 1 of S17, T45, R19**, more particularly described as follows, to wit: For the purposes of this description the North line of GL 1 of S17, T45, R19 is assumed to be a true East and West line. Beginning at a point which is 792.53 feet South and 1237.00

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feet West of the Northeast corner of said GL 1, thence bearing South 41° 55' West a distance of 100 feet, thence bearing South 43° 10' 30" East a distance of 447.28 feet, more or less, to the shore of Sturgeon Lake, thence in a Northeasterly direction on said shore line a distance of 100 feet, more or less, to a point which bears South 42° 57' East from the point of beginning, thence bearing North 42° 57' West a distance of 482.30 feet, more or less, to the point of beginning. Together with a right-of-way or easement for ingress and egress to and from the above described parcel, over and across GL 1, and the S1/2 of NW1/4 of said S17, for the purposes of getting to and from said property, to the county public road, which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 9 on the drawing attached as Exhibit A-1).

**8. That part of GL 1, S17, T45, R19W**, described as follows, to-wit: For the purposes of this description the North line of GL 1 of S17, T45 North, R19 W is assumed to be a true East and West line: Beginning at a point which is 335.62 feet South and 830.01 feet West of the Northeast corner of said GL 1, thence bearing South 48° 59' West a distance of 113.72 feet, thence bearing South 43° 43' East a distance of 329.47 feet, more or less, to the shore of Sturgeon Lake, thence Northeasterly on said shore line a distance of 80 feet, more or less, to a point which bears South 38° 15' East from the point of beginning, thence bearing North 38° 15' West a distance of 315 feet, more or less, to the point of beginning. Together with a right-of-way easement for ingress and egress to and from the above described parcel over and across GL 1 and the S ½ of the NW ¼ of said S17, for the purpose of getting to and from said property to the County Public Road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 3 on the drawing attached as Exhibit A-1).

**9. That part of GL1, S17, T45, R19 W**, described as follows, to-wit: For the purposes of this description the North line of GL 1 of S17, T45, R19 W is assumed to be a true East and West line; Beginning at a point which is 866.94 feet South and 1303.81 feet West of the NE corner of said GL 1, thence bearing South 41° 55' West, a distance of 100 feet, thence bearing South 43° 02' East a distance of 432.82 feet, more or less, to the shore of Sturgeon Lake, thence in a Northeasterly direction on said shore line a distance of 100 feet, more or less, to a point which bears South 43° 10' 30" East front the point of beginning, thence bearing North 43° 10' 30" West a distance of 447.28 feet, more or less, to the point of beginning. Together with a right-of-way or easement for ingress and egress to and from the above described parcel, over and across GL 1, and the S ½ of the NW ¼ of said S17, for the purposes of getting to and from said property, to the county public road, which runs in a North and South direction on the west side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 10 on the drawing attached as Exhibit A-1).

**10. A tract of land in GL 1, of S17, T45, R19**, more particularly described as follows, to-wit: For the purposes of this description the North line of GL 1 of S17, T45, R19 is assumed to be a true East and West line: Beginning at a point which is 561.12 feet South and 1046.45 feet West of the Northeast corner of said GL 1, thence bearing South 37° 23' West a distance of 100.0 feet, thence bearing South 42° 59' East a distance of 412.27 feet, more or less, to the shore of Sturgeon Lake, thence Northeasterly on said shore line a distance of 100 feet, more or less, to a point which bears South 43° 22' East from the point of beginning, thence bearing North 43° 22' West a distance of 375.17' more or less, to the point of beginning. Together with a right-of-way easement for ingress and egress to and from the above described parcel over and across GL 1 and the S1/2 of NW1/4 of said S17 for the purpose of getting to and from said property to the County Public Road which runs in a North and South direction on the West side of said S ½ of NW ¼ of said S17 (said exception being shown as Lot 6 on the drawing attached as Exhibit A-1).

**11. A tract of land in GL 1, of S17, T45, R19**, more particularly described as follows, to-wit: For the purposes of this description the North line of GL 1 of S17, T45, R19 is assumed to be a true East and West line: Beginning at a point which is 718.12 feet South and 1170.20 feet West of the Northeast corner of said GL 1, thence bearing South 41° 55' West a distance of 100.0 feet, thence bearing South 42° 57' East a distance of 482.30 feet, more or less, to the shore of Sturgeon Lake, thence in a Northeasterly direction on said shore line a distance of 100 feet, more or less, to a point which bears South 42° 43' East from the point of beginning, thence bearing North 42° 43' West a distance of 437.34', more or less, to the point of beginning. Together with an easement for ingress and egress to over and across said GL 1 and the S ½ of NW ¼ of said S17 (said exception being shown as Lot 8 on the drawing attached as Exhibit A-1).

**12. All that part of the following described tract:**

The **SW1/4 of NW1/4 of S17, T45 N, R19 W**: which lies northwesterly of a line run parallel with and distant 50 feet southeasterly of the first following described line and southeasterly of a line run parallel with and distant 100 feet northwesterly of the second following described line:

Line 1: From a point on the west line of said S17, distant 393.59 feet north of the West quarter corner thereof, run northeasterly at an angle of 21° 31' 30" with said west line for 1256.50 feet; thence deflect to the right at an angle of 90° 00' for 133 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90°

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00' for 700 feet; thence deflect to the right on a 0.4942634 degree curve (delta angle 3° 07' 11") for 631.19 feet; thence deflect to the left on an 8 degree 00' curve (delta angle of 25° 07' 11") for 314 feet and there terminating;

Line 2: Beginning at a point on the south line of S18, T45 north, R19 W; distant 745.98 feet east of the south quarter corner thereof, thence run northeasterly at an angle of 57° 13' with said south section line for 1618.32 feet; thence deflect to the left on a 0 degree 45' curve (delta angle 11° 31") for 1535.6 feet; thence on tangent to said curve for 1500 feet and there terminating; containing 7.80 acres, more or less, in addition to the existing highway. Together with all right of access, being the right of ingress to and egress from all that portion of the above described tract, not acquired herein, to the main roadways of Trunk Highway No. 35, except that the abutting owner shall retain the right of access on the southeasterly side to an outer lane only (said exception describing property acquired by the State of Minnesota for highway purposes pursuant to a final eminent domain certificate dated November 7, 1967, recorded on May 14, 1968 as document number 218004 in the office of the County Recorder of Pine County, Minnesota).

**13. A tract of six (6) acres on the southerly end of Lot 3 of S17 in T45, R19** (said exception having been excepted from that certain deed made by George H. Cunningham and Hilda Cunningham, grantor, in favor of Young Men's Christian Association of Duluth, grantee, dated June 7, 1916, and recorded on May 13, 1919 in deed book 58, page 33 in the office of the County recorder of Pine County, Minnesota).

## **Fish Lake AMA P1, Kanabec County**

**Tract #1- Beginning at the SE corner of S23, T39, R24;** thence running North on the section line a distance of 267.3 feet to the point of beginning; thence continuing North on section line a distance of 34.8 feet; thence turning an angle of 34° 57' left and running in a Northwesterly direction a distance of 83.1 feet; thence turning an angle of 90° left and running in a Southwesterly direction a distance of 40 feet; thence turning an angle of 90° left and running in a Southeasterly direction a distance of 111.7 feet; thence turning an angle of 90° left and running in a Northeasterly direction a distance of 20 feet to the point of beginning, being about 0.1 acre.

**Tract #2 – Beginning at the Southeast corner of S23, T39, R24;** thence running North on the section line a distance of 267.3 feet; thence turning an angle of 34° 57' left and running in a Northwesterly direction a distance of 111.7 feet to the point of beginning; thence turning an angle of 90° right and running in a Northeasterly direction a distance of 20 feet; thence turning an angle of 90° left and running in a Northwesterly direction a distance of 220 feet; thence turning an angle of 90° left and running in a southwesterly direction a distance of 40 feet; thence turning an angle of 90° left and running in a Southeasterly direction of 220 feet; thence turning an angle of 90° left and running in a Northeasterly direction a distance of 20 feet to the point of beginning, containing about 0.2 acres.

## **Gull Lake AMA P1 Beltrami County**

The South 1000 feet of Government Lot 3, Section 4, Township 148, Range 32 W, Beltrami County, Minnesota.

## **Little Grand Lake AMA P1, St. Louis County**

Lot 7, Klimeks Addition to Grand Lake, Section 31, Township 51 North, Range 16 West, St. Louis County, Minnesota

## **Midway River AMA P5, St. Louis County**

A strip of land 150 feet in width centered on the Midway River as it runs through the SW ¼ of the SE ¼ of S22, T50, R15W, lying north of the south 530 feet thereof. The sidelines of said strip shall be prolonged or shortened to terminate at the east and west lines of said SW ¼ of the SE ¼.

## **North Branch Whitewater AMA, P4, Winona County**

An easement for Trout Stream purposes over, under across that part of the SWSW of S5, T107 N, R10 W of the 5<sup>th</sup> Principal Meridian, Winona County Minnesota lying southerly and southwesterly of the centerline of the north branch of the Whitewater River and lying northerly and northeasterly of a line 66 feet southerly and southwesterly, as measured at a right angle to and parallel with said centerline of the north branch of the Whitewater River.

And

An easement for Trout Stream purposes over, under across that part of the SESE of S6, T107 N, R10 W of the 5<sup>th</sup> Principal Meridian, Winona County Minnesota lying southerly and southwesterly of the centerline of the north branch of the Whitewater River and lying northerly and northeasterly of a line 66 feet southerly and southwesterly, as measured at a right angle to and parallel with said centerline

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# Commissioners' Orders

of the north branch of the Whitewater River that lies easterly of Township Road No. 16.

## **North Branch Root River AMA P2, Olmstead County**

Tract #1 - A strip of land 200 feet in width, across the NE ¼ of the SW ¼ of S21, T105, R12. The centerline of said strip being the centerline of the North Branch of the Root River as it flows through said tract of land.

Tract #2 - The east 15 feet of the SE ¼ of the NW ¼ and the east 15 feet of NE ¼ of the SW ¼, lying south of County Road Number 129 and north of the centerline of the North Branch of the Root River.

## **Norway Lake AMA P2, Kandiyohi County**

Lots 1 through 6, Block 2, West Pioneer Estates, according to the recorded plat thereof

And

Lots 1 through 4, Block 1, Pioneer Estates Second Addition, according to the recorded plat thereof.

## **Preece Point AMA P1, Beltrami County**

All that part of GL4, S30, T146 N, R33 W, lying northerly of the plat of SCENIC SHORES according to the plat on file and of record in the office of the County Recorder for Beltrami County, Minnesota and lying easterly of the easterly line of HIGHLAND DR SW as shown on said plat.

## **Riverside AMA P1, Redwood County**

Government Lot 10 of S20, T113 N, R35 W, Redwood County, Minnesota.

AND

Government Lot 3 of S29, T113 N, R35 W, Redwood County, Minnesota.

AND

That part of the following described parcel which is in the SENE of S29, T113 N, R35 W, Redwood County, Minnesota, described as follows:

Beginning at the northwest corner of the S ½ of the NE ¼ of said S29; thence East along the north line of said S ½ of the NE ¼ 1584 feet; thence in a southeasterly direction to a point which is 2112 feet East and 528 feet South of the point of beginning; thence in a northwesterly direction to the west line of the NE ¼ of said S29 to a point 330 feet South of the point of beginning; thence North 330 feet to the point of beginning.

AND

Government Lot 4 of S21, T113 N, R35 W, Redwood County, Minnesota.

AND

N1/2 of the NW ¼ of S28, T113 N, R35 W, Redwood County, Minnesota.

AND

Government Lots 4 and 5 of S28, T113 N, R35 W, Redwood County, Minnesota, EXCEPTING THEREFROM the following two parcels:

### PARCEL 1

That part previously conveyed to the State of Minnesota and filed for record on June 28, 1982, in the Redwood County Recorder's Office as Document Number 237741 in Book 143 of Deeds Page 75.

### PARCEL 2

The East 1283.73 feet of the West 1333.73 feet of the South 202.09 feet of said Government Lot 4.

Together with a 50 foot wide service road ingress-egress easement across the N ½ of the SWNE of S29, T113 N, R35 W in Honner Township, Redwood County, Minnesota, with the centerline of easement described as follows:

Commencing at an existing DNR monument at the southwest corner of the NE ¼ of said S29; thence North

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01° 10' 48" West, bearing based on Redwood County Coordinate System, along the west line of said NE ¼, a distance of 1016.54 feet, to the POINT OF BEGINNING; thence South 83° 39' 33" East a distance of 731.74 feet; thence North 61° 51' 25" East a distance 157.76 feet; thence North 77° 02' 25" East a distance of 108.99 feet; thence South 82° 50' 15" East a distance of 233.00 feet; thence North 59° 20' 04" East a distance of 149.50 feet, to a point on the east line of the SWNE of said S29, said point being 216.00 feet South of the north line of the SWNE of said S29, and there terminating.

## **Storer Creek AMA P5, Houston County**

Tract #1 - A strip of land lying in the SWSW of S18, T104N, R5W; and the S ½ SE and the NWSE of S13, T104N, R6W. A strip of land 132 feet in width and lying 66 feet on either side of the centerline of Storer Creek as it flows through the property described above.

Tract #2 - SWSW of S18, T104N, R5W.

A strip of land 16.5 feet in width, the northerly line of said strip being 16.5 feet northerly of and parallel with the south line of said SWSW between the centerline of Storer Valley Creek Road and Storer Creek as it flows through the property described above.

## **Vermillion River AMA P7, Dakota County**

The SENW of Section 23, Township 114 N, Range 19 W, Dakota County, Minnesota.

## **Whispering Ridge AMA P2, Redwood County**

Government Lot 6; Lot 2 of the SW ¼ of the SE ¼ ; Lot 2 of Government Lot 5; Lot Number 1 of the SW ¼ SE ¼ and Lot 3 of Government Lot 5; all in Section 30, Township 114 North, Range 36 West, according to the plat of Subdivision of the SW ¼ SE ¼ and Lot 5 of Section 30, Township 114 North, 36 West; and

Also, that part of the SW ¼ of Section 30 in Township 114 North of Range 36, Redwood County, Minnesota lying southeasterly of the existing road running through said SW ¼.

Also, the SWSE of Section 30, Township 114, Range 36, Redwood County, Minnesota.

## **White Earth AMA P1, Becker County**

That part of Government Lot 3 and that part of Government Lot 7 of Section 16 and that part of Government Lot 3 and that part of Government Lot 4 of Section 17, all in Township 142 North, Range 40 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates most easterly corner of Lot 1, Block 1 of WABAUNAQUAT FIRST ADDITION from which the southeasterly line of said Lot 1 bears South 24° 31' 50" West on an assumed bearing, said plat is on file and of record in the office of the Recorder in said County; thence southeasterly along the westerly line of a Dedicated Public Road as dedicated in said WABAUNAQUAT FIRST ADDITION on a curve concave to the northeast, having a central angle of 20° 52' 00" and a radius of 178.68 feet, for a distance of 65.07 feet (chord bearing South 50° 37' 47" East) to a found iron monument; thence South 61° 03' 47" East 176.87 feet continuing along the westerly line of said Dedicated Public Road to a found iron monument; thence southeasterly continuing along the westerly line of said Dedicated Public Road on a curve concave to the southwest, having a central angle of 54° 44' 47" and a radius of 134.00 feet, for a distance of 128.04 feet (chord bearing South 33° 41' 23" East) to a found iron monument; thence South 06° 19' 00" East 665.07 feet continuing along the westerly line of said Dedicated Public Road to a found iron monument; thence southerly continuing along the westerly line of said Dedicated Public Road on a curve concave to the west, having a central angle of 51° 48' 59" and a radius of 35.00 feet, for a distance of 31.65 feet (chord bearing South 19° 35' 30" West) to a found iron monument at a point of compound curvature; thence southeasterly continuing along the westerly line of said Dedicated Public Road on a curve concave to the northeast, having a central angle of 156° 16' 39" and a radius of 75.00 feet, for a distance of 204.57 feet (chord bearing South 32° 38' 21" East) to an iron monument; thence South 19° 44' 48" East 406.67 feet to an iron monument; thence continuing South 19° 44' 48" East 55 feet, more or less, to the water's edge of White Earth Lake; thence in a generally northwesterly direction along the water's edge of said White Earth Lake to the southeasterly line of said Lot 1; thence North 24° 31' 50" East 19 feet, more or less, along the southeasterly line of said Lot 1 to a found iron monument; thence continuing North 24° 31' 50"

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East 210.79 feet along the southeasterly line of said Lot 1 to the point of beginning.

## **Wildcat Creek AMA P3, Houston County**

Tract #1: An easement for Trout Stream purposes over and across that part of the following described property: SESW and SE ¼ of S27, T103, R4W. Said strip being 132 feet in width and lying 66 feet on either side of the centerline of Wildcat Creek, as it flows through the following described property:

A piece of land described as commencing at a point on the north and south quarter line 50 rods North of the South quarter post of S27, T103 north of R4 W, thence South 79° West 18 rods, thence South 56 ¾° West 20 rods, thence South 82 ½° West 8 rods, thence South 8 ½° East 1 rod, thence North 82 ½° East 2 rods thence South 8 ½° east 4 rods. thence North 82 ½° East 6 rods, thence East 16 rods, thence North 79° East 18 rods to the north and south quarter line thence North on the north and south quarter line to the place of beginning;

And

The E ½ of the SE ¼ excepting therefrom 3 parcels of land described as follows:

Commencing at the southeast corner of S27, T103, R4W, running thence West on the section line 8 ½ chains, thence North 40 ¼° east 8 chains, thence North 17 ½° West 2 chains and 67 links, thence North 8 ¼° East 2 chains and 62 links, thence North ½° West 1 chain and 90 links, thence North 21 ½° East 2 chains and 11 links, thence South 55 ¾° East 3 ½ chains to the section line, thence South on section line 13 chains to the place of beginning, containing 5 ¼ acres more or less;

And

Commencing at a point 13 rods West, variation 8° 15' east of the northeast corner of the SESE of S27, T103, R4W, running thence South 38° 45' West 16 rods, thence North 77° 33' west 14 rods, thence North 8° 15' East 18 rods and 15 links, thence East variation 8° 15' 26 rods and 12 ½ links, thence South 38° 45' West 11 rods and 10 links to the place of beginning;

And

Commencing at the northeast corner of the SESE of S27, T103, R4W, running thence West variation 8° 15 ½' 13 rods, thence North 2 rods, thence East 13 rods, thence South 2 rods, containing 2 acres more or less; all of said lands being in S27, T103, R4W of the fifth principal meridian.

Tract#2 An easement for ingress and egress purposes over and across that part of the E ½ of the SE ¼ of S27, T103, R4 W, Houston County, lying between the following described line and a line 16.5 feet westerly and northwesterly, as measured at a right angle to and parallel with of said following described line:

Commencing at the northeast corner of said E ½ of the SE ¼; thence on an assumed bearing of South 0° 28' 41" West, along the east line of said E ½ of the SE ¼, a distance of 1117.40 feet, to the point of beginning of the line to be described; thence continue South 0° 28' 41" West, along said east line, a distance of 176.14 feet; thence South 31° 32' 59" West, a distance of 184.09 feet; thence South 24° 28' 39" West, a distance of 228.67 feet; thence South 21° 09' 55" West, a distance of 139.26 feet; thence South 0° 50' 05" East, a distance of 125.40 feet; thence South 7° 54' 55" West, a distance of 172.92 feet; thence South 17° 50' 05" East, a distance of 176.22 feet; thence South 40° 09' 55" West, a distance of 200 feet and said line there terminating.

## **Wildcat Creek AMA P6, Houston County**

An easement for Trout Stream purposes over and across that part of the following described property:

The W ½ of the W ½ of the SE ¼ of S28, T103 N, R4 W. EXCEPTING all that part of the W ½ of the W ½ of the SE ¼ of S28, T103 N, R4 W of the Fifth Principal Meridian lying and being North of the Northerly right-of-way line of the public town road, commonly known as Cork Hollow Road, which traverses said W ½ of the W ½ of the SE ¼ of S28, consisting of approximately 14 acres.

And

Also 14.25 acres more or less in the SW ¼ of S28, T103 N, R4 W described as follows:

Commencing at a post South side S28, T103 N, R4 W; thence West variation 5° 30' East 5.57 chains; thence North 6 ½° West 2.11 chains; thence North 9° West 3.69 chains; thence North 9° East 4.51 chains; thence North 18° West 2.55 chains; thence North 11 ½° East 4.70 chains; thence North ½° West 2.43 chains; thence

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North 34° East 2.41 chains; thence North 55 ½° East 4.50 chains; thence South 24.20 chains to the place of beginning.

Said easement being a strip of land 132 feet in width and lying 66 feet on either side of the centerline of Wildcat Creek as it flows through the above described property.

and

**WHEREAS**, The above described lands meet the criteria as being suited for aquatic management areas;

and

**WHEREAS**, the most effective means by which such lands can be managed for aquatic habitat protection and public angling access is designation as Aquatic Management Areas;

**THEREFORE, IT IS HEREBY ORDERED**, pursuant to the provisions of *Minnesota Statutes*, section 86A.07, subdivision 3(2), and *Minnesota Statutes*, section 86A.05, subdivision 14, the following described lands under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for aquatic management areas:

This order takes effect upon signature. A copy of this order shall be filed with the Secretary of State.

Date signed: 15 December 2010

Approved by: Mark Holsten, Commissioner  
Department of Natural Resources

## Official Notices

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

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

## Check out these Notices

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

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## **Department of Administration (Admin) Minnesota Assistive Technology Advisory Council Notice of Meeting Dates for 2011**

The Minnesota Assistive Technology Advisory Council meeting dates have been announced for 2011. The meetings will be held from 9:00 a.m. to 3:00 p.m. on the following dates: January 18, 2011; April 5, 2011; July 19, 2011 and October 18, 2011. All meetings will be held in the Lady Slipper Conference Room located in the Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota. Please contact the STAR Program at (651) 201-2640 if you would like additional information or assistance.

## **Board of Animal Health Quarterly Meeting February 4, 2011**

The Minnesota Board of Animal Health will hold its quarterly meeting on Friday, February 4, 2011. The meeting will take place the Orville Freeman Building, 625 Robert St. N, St. Paul, MN 55155 at 9:30 a.m. in room B144.

## **Minnesota State Agricultural Society (State Fair) Notice of 152nd Annual Meeting of the Minnesota State Agricultural Society January 14-16, 2011**

**MINNESOTA STATE FAIRGROUNDS** – The 152nd annual meeting of the Minnesota State Agricultural Society, governing body of the Minnesota State Fair, will be held Jan. 14, 15 and 16 at the Sheraton Bloomington Hotel. The society's general business session is scheduled for 8 a.m. Sunday, Jan. 16, followed by a meeting of the society's board of managers. A complete schedule of meetings and events will be available at the hotel.

The 2011 Minnesota State Fair runs Aug. 25 through Labor Day, Sept. 5.

Dated: January 10, 2011

## **Minnesota Housing Finance Agency (MHFA) Notice of Draft Availability and Public Comment Period on Substantial Amendment to the 2010 Action Plan of the State of Minnesota's 2007-2011 Consolidated Housing and Community Development Plan**

The State of Minnesota announces the availability of a draft substantial amendment to its 2010 Action Plan of the 2007-2011 Consolidated Housing and Community Development Plan (Consolidated Plan) for public comment.

The Consolidated Plan is a report that the State submits annually to the U.S. Department of Housing and Urban Development (HUD) in order to receive certain federal housing and community development funding. It examines the housing and community development needs of the State, sets priorities for allocation of the HUD funds, and establishes an annual Action Plan for meeting current and future needs in the coming year. The federal government has made available to the State of Minnesota \$5,000,000 of Neighborhood Stabilization Program (NSP3) funding for foreclosure remediation activities in areas of greatest need. An amendment to the 2010 Action Plan (Amendment) is required for the State to receive the funds.

# Official Notices

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The Amendment allocates NSP3 funds to areas of greatest need in the cities of Minneapolis, St. Paul, and Big Lake; and the counties of Anoka, Dakota, Hennepin, and Ramsey.

A draft of the Amendment will be available for public review and comment between January 14, 2011 and, and the close of business January 30, 2011 on the Internet at [www.mnhousing.gov](http://www.mnhousing.gov). A hard copy of the Amendment can be obtained by calling Ruth Simmons, Minnesota Housing Finance Agency, (651) 297-5146, or TTY: (651) 297-2361. The State encourages citizens to comment on the Amendment.

Written public comments on the Amendment can be submitted to:

Action Plan Amendment, Attn: Ruth Simmons  
Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101

Written comments may also be submitted by fax to (651) 296-8292 or by **e-mail to:** [ruth.simmons@state.mn.us](mailto:ruth.simmons@state.mn.us). To ensure consideration of your comments, type "Action Plan Amendment" in the subject line of your e-mail.

The Amendment will be submitted to HUD on or before March 1, 2011. The State will consider any comments from individuals or groups received in writing. A summary of the written comments and the State's responses will be included in the final Amendment.

## Department of Labor and Industry (DLI) Labor Standards Unit Notice of Correction to Highway Heavy Prevailing Wage Rates

Corrections have been made to the Highway Heavy Prevailing Wage Rates certified 11/29/2010, for Power Equipment Operators Group 2 (**Labor Codes 302 – 308**) in Region 4, and Truck Drivers Group 1 (**Labor Codes 601 – 603**) in Region 6.

Copies with the corrected certified wage rate for these Regions may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at: [www.dli.mn.gov](http://www.dli.mn.gov). Charges for the cost of copying and mailing are \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

Ken B. Peterson, Commissioner  
Department of Labor and Industry

## Minnesota Department of Natural Resources (DNR) Notice of Intent to Prepare a Comprehensive Conservation Management Plan for Federal Lands Known as Beltrami Island Land Utilization Project, in Beltrami, Roseau, and Lake-of-the-Woods Counties

The Minnesota Department of Natural Resources, in conjunction with the U.S. Fish and Wildlife Service, is beginning the process of preparing a Comprehensive Conservation Management Plan for over 82,000 acres of leased federal lands known as the Beltrami Island Land Utilization Project (LUP). LUP lands were designated as "a refuge and breeding ground for native birds and other wildlife" by Executive Order 9091 in 1942. The LUP lands are scattered among state lands in the Beltrami Island State Forest, Red Lake Wildlife Management Area, Hayes Lake State Park, and three peatland Scientific and Natural Areas.

The Department is accepting public comments on the current uses and future management directions of these federal lands. Formal Scoping commences January 11, 2011, and closes March 2, 2011.

Public Open Houses are scheduled for:

January 26, 2011, Lake-of-the-Woods County Courthouse, Baudette, 6-8 pm

January 27, 2011, Warroad Community Center, Warroad, 6-8 pm

February 2, 2011, REI Store, 750 W. American Boulevard, Bloomington, 4-8 pm

Further information about the project can be found at: [www.beltramiisland.info](http://www.beltramiisland.info) Or contact:

Michael R. North, Project Consultant  
Minnesota DNR  
1601 Minnesota Drive  
Brainerd, MN 56401  
**Phone:** (218) 833-8623  
**Fax:** (218) 828-6022  
**E-mail:** [Michael.north@state.mn.us](mailto:Michael.north@state.mn.us)

To comment, send letter or email or Alternative Public Comment Form/Questionnaire to Michael North by March 2, 2011. Alternative Public Comment Form/Questionnaires are available at the project website, at the Public Open Houses, at the Red Lake Wildlife Management Area Headquarters, or by contacting Michael North.

Dated: 13 Decembr 2010

Michael R. Carroll, Regional Director  
Department of Natural Resources

## 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 hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN  
Riley Bros. Properties, LLC, and its affiliates, Morris MN  
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, 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, MN  
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.

## Grant Opportunities

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:

- **Word Search Capability**
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## Department of Commerce Office of Energy Security

### Notice of Grant Availability for the Low Income Energy Training - ARRA Grant Program

The Minnesota Department of Commerce Office of Energy Security (OES) requests proposals from eligible applicants for the Low Income Energy Training – ARRA Grant Program. Funding is provided by the American Reinvestment and Recovery Act of 2009 and authorized by *Laws of Minnesota 2009*, Chapter 138, Article 5, Section 1 for up to \$700,000. Grants will be awarded competitively to successful respondents in two activity categories: Small Grants up to \$25,000 and Large Grants of \$25,001 - \$100,000. All grants will be conducted between March 2011 and February 2012.

The Request for Proposals (RFP) and required forms will be available for download on the Department's website ([www.energy.mn.gov](http://www.energy.mn.gov)) through February 22, 2011. Responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by OES no later than 12:00 p.m. (Noon) Central Standard Time (CST), on February 22, 2011.

The RFP and forms can be obtained from:

**Preferred Method:** [www.energy.mn.gov](http://www.energy.mn.gov)

**U.S. Postal Service:** Ann Zechbauer  
Minnesota Department of Commerce  
Office of Energy Security  
85 Seventh Place East, Suite 500  
Saint Paul, MN 55101

Proposals submitted in response to this RFP must be received no later than 4:00 p.m. CST, February 22, 2011. **Late proposals will NOT be considered.** Instructions for submitting proposals are detailed in the RFP.

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 Transportation (Mn/DOT)

### Office of Transit

#### Notice of Intent to Solicit Intercity Bus Grant Proposals

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Transportation (Mn/DOT), Office of Transit is currently soliciting grant applications for the Intercity Bus Grant Program. Intercity Bus is a grant program funded through the United States Department of Transportation, Federal Transit Administration (FTA) Section 5311(f). Grants are for operating assistance for routes between regional trade centers in Greater Minnesota. Grants are also available for capital assistance, marketing and planning studies. The applications will be open and posted on February 11, 2011 on the Office of Transit's Home page under latest news: <http://www.state.mn.us/transit>.

The application period will close on March 11, 2011.

The grants will be effective from July 1, 2011 until June 30, 2013.

FTA requires that 15 percent of the state's apportionment for non-urbanized area transit funding be used to support the following national objectives:

- Support meaningful connections between nonurbanized areas and the regional or national system of intercity bus service;
- Support services to meet the intercity needs of residents in non-urbanized areas; and
- Support the infrastructure of the intercity bus network through planning, marketing assistance, and capital investment in facilities and equipment.

Funding granted to support operating either new or existing intercity bus routes will be at a rate of fifty percent of the operating deficit. Funding granted for capital, marketing or planning will be at the rate of eighty percent of budget expenses. This program is funded by federal funds and successful applicants will be required to abide by all pertinent rules and regulations related to federal grants.

Applications submitted in response to this announcement must be received by **3:00 p.m., Central Time, on Friday March 11, 2011 at the address below. Late proposals will NOT be considered. For further information, please contact:**

Gerry Weiss, State Program Administrator Principal  
Mn/DOT Office of Transit  
395 John Ireland Boulevard, MS 430  
Saint Paul, Minnesota 55155  
**E-mail:** [ga.weiss@state.mn.us](mailto:ga.weiss@state.mn.us)

**FURTHER**, there will be an application workshop conducted by the Minnesota Department of Transportation, Office of Transit on February 25, 2011 from 10:00 p.m. to 12:00 noon in Room 360 of the Transportation Building, 395 John Ireland Boulevard, Saint Paul, Minnesota 55155. **RSVP to Gerry Weiss if you intend to attend the workshop.**

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 applicant.

Applications submitted in response to this announcement must be received by 3:00 p.m., Central Time, on Friday March 11, 2011 at the above address. Late proposals will not be considered.

# State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

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

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and

anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## Business Opportunities in Government

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 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*; Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

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## Department of Administration (Admin)

### Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)

### Notice of Contract for Providing Medical Supplies and Non-pharmacy Products to MMCAP Membership

The Minnesota Multistate Contracting Alliance for Pharmacy ("MMCAP" [www.mmcap.org](http://www.mmcap.org)) is requesting proposals from distributors and manufacturers interested in supplying medical supplies and non-pharmacy products to the MMCAP Membership.

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals, medical supplies other non-pharmacy products. MMCAP is currently made up of 46 participating states and approximately 3500 participating facilities purchasing approximately one billion dollars in pharmaceuticals, medical supplies and non-pharmacy products per year. MMCAP estimates the estimated total dollar value of the awarded contract will range from forty (40) million to fifty (50) million dollars annually. To request a copy of the RFP, send an e-mail to: [mn.multistate@state.mn.us](mailto:mn.multistate@state.mn.us) Or write to:

Medical Supplies and Non-Pharmacy RFP Request

MMCAP

c/o Minnesota Department of Administration

50 Sherburne Avenue, Suite 112

St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address above no later than **2 p.m. Central Time, February 16, 2011.**

**Late proposals will not be considered.**

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

## **State Department of Administration (Admin) State Designer Selection Board Project #11-02 Notice of Availability of Request for Proposal (RFP) for Designer Selection for Renovations at the National Guard Armory, 4015 Airpark Boulevard, Duluth, Minnesota**

The State of Minnesota, Department of Administration is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota National Guard's website: <http://www.MinnesotaNationalGuard.org/rfp>.

A **MANDATORY** informational meeting is scheduled for **Wednesday, January 19, 2011 at 10:00 a.m.** at the National Guard Armory, 4015 Airpark Boulevard, Duluth, Minnesota 55811. All firms interested in this meeting should contact Mr. Pat Rolph at (320) 616-2612 or [pat.rolph@us.army.mil](mailto:pat.rolph@us.army.mil) to sign up to attend the meeting. Project questions will also be taken by this individual only.

Proposals must be delivered to Sherry Van Horn, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2376 not later than **12:00 noon on Monday, January 31, 2011**. Late responses will not be considered.

The Minnesota National Guard is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Anoka Technical College Request for Proposals on Video Project**

### **GENERAL STATEMENT/SCOPE:**

The college is seeking proposals from vendors to shoot, produce and edit up to 38 separate video vignettes for Anoka Technical College. **TO RECEIVE A COMPLETE COPY OF THE PROPOSAL REQUEST/SPECS, PLEASE CONTACT PAMELA MOGENSEN, (763) 576-4785.**

There will be a non-mandatory meeting on Tuesday, January 18, 2011 at 10 AM in Conference Room 179 for additional information and to answer questions.

Proposals must be sealed with a notation on the outside of the envelope stating:

**VIDEO PROJECT PROPOSAL – DELIVER IMMEDIATELY.**

Mail or deliver (*faxes will not be accepted*) sealed proposal by **FRIDAY, JANUARY 21, 2011, NO LATER THAN 10 AM CST** to:

Anoka Technical College  
Business Office  
Attn. Pamela Mogensen  
1355 West Highway 10

# State Contracts

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Anoka, Minnesota 55303  
Phone: (763) 576-4785

PROPOSAL CLOSE DATE IS **FRIDAY, JANUARY 21, 2011** – 10 AM CST

## **Minnesota State Colleges and Universities (MnSCU) Announcements - Advertisements for Bids MnSCU Transitioning to a Web-based Distribution for Project Bid Documents**

Minnesota State Colleges & Universities is transitioning to a web-based distribution process for project bid documents. MnSCU offers 24-hour/day, 7-day/week access to the Request for Bids/Proposals through its web-based system. Interested parties may view the Bidding Documents at no cost on the website: <http://www.finance.mnscu.edu/facilities/design-construction/index.html> and click on “Announcements”, then click on “**Advertisement for Bids (E-Plan Room)**”. Bidding Documents can be downloaded for a non-refundable fee of \$10.00. MnSCU will be utilizing this system to advertise and deliver bidding documents for many of its future construction projects.

## **Minnesota Historical Society (MHS) Notice of Request for Bids for Apollo 8 Replica for “The 1968 Exhibit”**

The Minnesota Historical Society (Society) is seeking bids from qualified and experienced contractors for fabrication, delivery, and ongoing maintenance of an exact replica of the exterior of the Apollo 8 Command Module as it appeared on December 24, 1968 while in orbit of the Moon. The Society will use this replica in its national touring exhibition, *The 1968 Exhibit*. The replica must withstand the rigors of a five-year tour, be able to break down into pieces no larger than 122" x 42" x 84," and be delivered to the Minnesota History Center by July 1, 2011.

The Request for Bids is available from Mary Green-Toussaint, the Society’s Purchasing Coordinator, via e-mail:  
[mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

Bids must be received by 2:00 p.m. Local Time on Thursday, February 3, 2011. Late bids will not be considered.

Dated: 10 January 2011

## **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 e-mail 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 Kelly Arneson 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:

Kelly Arneson  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

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

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## 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.

## Other Contracts

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."

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# Non-State Bids, Contracts & Grants

## Minnehaha Creek Watershed District (MCWD)

### Request for Qualifications for Legal, Engineering Accounting, Government Relations, Information Technology Support Communications Services

The Minnehaha Creek Watershed District, a political subdivision established to Chapter 103D - *Minnesota Statutes*, is conducting a bi-annual review of its needs for consultant services and the most effective way of meeting those needs.

Experienced individuals or firms who wish to be considered as potential service providers may contact the Minnehaha Creek Watershed District at the address below or go to our website at [www.minnehahacreek.org](http://www.minnehahacreek.org) for instructions on how to respond to the *Request for Qualifications* and for a *Scope of Services*. Request for Qualifications must be received by the Minnehaha Creek Watershed District no later than 4:30 p.m., January 31, 2011

Send responses to: Mr. Eric Evenson, District Administrator  
Minnehaha Creek Watershed District  
18202 Minnetonka Boulevard  
Deephaven, Minnesota 55391  
Telephone: (952) 471-0590  
Facsimile: (952) 471-0682

## Minnehaha Creek Watershed District

### Project 0185-4587

### Sealed Bids Sought for Removal/Abatement of Hazardous Materials, Building Demolition and Site Grading and Restoration

**Site Demolition:** 415/427/429 Blake Road North and 1303/1305 Lake Street NE,  
Hopkins, Hennepin County, Minnesota  
**Owner:** Minnehaha Creek Watershed District  
**Class of Work:** Removal/Abatement of Hazardous Materials, Building Demolition and  
Site Grading and Restoration  
**Project Location:** City of Hopkins, Hennepin County, Minnesota  
**Pre-Bid Meeting:** 1:00 PM January 17, 2011  
**Bids Close at:** 1:00 PM January 24, 2011

#### 1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office located at 18202 Minnetonka Blvd., Deephaven, MN, until 1:00 PM, January 24, 2011, at which time such bids will be opened and read aloud. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- Asbestos Containing Materials Removal/Abatement
- Hazardous Materials Removal and Disposal
- Erosion Control
- Demolition of Two Apartment Buildings and Disposal of Materials
- Clearing and Grubbing
- Demolition of Rental Parking Garage and Disposal of Materials
- Demolition of Residences, Garage and Disposal of Materials
- Removal and Disposal of Associated Concrete Slabs and Disposal
- Removal and Recycling of Asphalt Paving
- Removal and Recycling of Asphalt Aggregate Base

# Non-State Bids, Contracts & Grants

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- Capping/Abandonment of Utility Services
- General Filling and Site Grading
- Furnish and Install Topsoil

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the offices of Minnehaha Creek Watershed District, the payment of a \$65.00 **non-refundable** fee for each bid package. Bid packages are also available for examination at the District office. All communications relative to this project should be addressed to the ENGINEER Attn: Mike Panzer, Project Engineer, Wenck Associates, Inc. Pioneer Creek Center, Maple Plain, MN, 55359, **phone:** (763) 479-4207, **e-mail:** [mike.panzer@wenck.com](mailto:mike.panzer@wenck.com), prior to opening of the Bid.

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

Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified or cashier's check made payable to Minnehaha Creek Watershed District ("OWNER") in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the OWNER, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. The OWNER will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.

An optional PRE-BID meeting will be held at the Minnehaha Creek Watershed District office at 1:00 PM, January 17, 2011. **The sites and buildings will be open for viewing from 8:00 am until 12:00 noon on January 17, 2011.**

The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

## 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.

## University of Minnesota (U of M) Oak Street Ramp Request for Proposals for Bike Center and Radio Frequency Identification System (RFID)

MnDOT Project No.	SP-097-091-002
MINN. Project No.	NMTP 8810 (156)
U of M Project No.	01-141-09-1662

University Bike Center will be housed in existing space which was once a bus station in the U of M Oak Street Parking Ramp and will feature:

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## Non-State Bids, Contracts & Grants

- Retail, bike storage, bike maintenance, and meeting space
- Upgraded electrical, mechanical systems
- 1,800 finished sq. ft. with adjacent 2,800 sq. ft. secure bike storage
- 252 sheltered secure bike parking
- Lockers, bathrooms, changing facilities and 3 showers
- Gate and doors secured by electronic card access (to grant 24 hour access to members)
- Retail bike parts and accessories
- Bike maintenance shop
- Meeting space and information for cyclists including safety, how-to classes, printed literature, maps, electronic information kiosk
- “Nice Ride” bike rentals and loaners

Radio Frequency Identification (RFID) is electronic commuter verification system

- Bike commuters RFID tag are attached to bicycles which transmit information
- Sensors are placed throughout campus which read the RFID tag and log the number of trips taken; this information is stored in a database
- This system verifies bike commuters trips on campus and logs requirements for University/federal benefits, such as Wellness Rewards and commuter tax benefits

The Work shall be substantially complete by May 24, 2011 for the Bike Center and the RFID system.

Prime contract bidding will close 2 p.m., local time, Tuesday, February 15, 2011.

Sealed bids will be received by the Regents of the University of Minnesota at Facilities Management Purchasing Services, B15 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455, until the stated times, when they will be publicly opened and read aloud.

Bidding Documents may be examined at:

Builder’s Exchanges in Minneapolis and St. Paul, Minnesota.

Reed Construction Data Virtual Plan Room  
Document Processing Center  
30 Technology Drive, Suite 500  
Norcross, GA 30092-2912  
Fax Addenda to: (800) 303-8629

McGraw Hill Construction Plan Room  
(Formerly, F. W. Dodge)  
1401 Glenwood Avenue North  
Minneapolis, MN 55405-1226  
Fax: (612) 381-2295 / Phone: (612) 381-2290

And on-line at: [http://www.uservices.umn.edu/purchasing/construction\\_services.html](http://www.uservices.umn.edu/purchasing/construction_services.html)

Obtaining copies of the Bidding Documents shall be the responsibility of the bidding contractor.

Direct all communications regarding this project to Chip Foster, with U of M Purchasing at **e-mail:** [Foste048@umn.edu](mailto:Foste048@umn.edu), address: B15 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455 phone number: 612 626-6080.

Each prime and subcontract bid shall be accompanied by a bid security of 5% of the maximum amount of the bid in the form of a Surety Bond, certified check, cashier’s check.

Minimum wage rates to be paid by the Contractors have been predetermined and are subject to the Work Hours Act of 1962, P.L. 87-581 and implementing regulations.

READ CAREFULLY THE WAGE SCALES AND DIVISION A OF THE SPECIAL  
PROVISIONS AS THEY AFFECT THIS/THESE PROJECT/PROJECTS

The Minnesota Department of Transportation hereby notifies all bidders:

# Non-State Bids, Contracts & Grants

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- in accordance with Title VI of the Civil Rights Act of 1964 (Act), as amended and Title 49, *Code of Federal Regulations*, Subtitle A Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, it will affirmatively assure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded maximum opportunity to participate and/or to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, disability, age, religion, sex or national origin in consideration for an award;
- in accordance with Title VI of the Civil Rights Act of 1964 as amended, and Title 23, *Code of Federal Regulations*, Part 230 Subpart A-Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including supportive services), it will affirmatively assure increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry, and that on any project constructed pursuant to this advertisement equal employment opportunity will be provided to all persons without regard to their race, color, disability, age, religion, sex or national origin;
- in accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363A.08 Unfair discriminatory Practices, it will affirmatively assure that on any project constructed pursuant to this advertisement equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age;
- in accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363A.36 Certificates of Compliance for Public Contracts, and 363A.37 Rules for Certificates of Compliance, it will assure that appropriate parties to any contract entered into pursuant to this advertisement possess valid Certificates of Compliance.

If you are not a current holder of a compliance certificate issued by the Minnesota Department of Human Rights and intend to bid on any job in this advertisement you must contact the Department of Human Rights immediately for assistance in obtaining a certificate.

The following notice from the Minnesota Department of Human Rights applies to all contractors:

“It is hereby agreed between the parties that *Minnesota Statute*, section 363A.36 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based on this specification or any modification of it. A copy of *Minnesota Statute* 363A.36 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency.”

“It is hereby agreed between the parties that this agency will require affirmative action requirements be met by contractors in relation to Minnesota Statute 363A.36 and Minnesota Rules 5000.3600. Failure by a contractor to implement an affirmative action plan or make a good faith effort shall result in revocation of its certificate or revocation of the contract (*Minnesota Statute* 363A.36, Subd. 2 and 3).”

A minimum goal of 10% Good Faith Effort to be subcontracted to Disadvantaged Business Enterprises.

The successful prime contract bidder shall furnish Performance and Payment Bonds as describe in attachment **S-1 Requirement of Contract Bond**.

The University reserves the right to reject any and all bids, accept any bid, waive informalities in bids submitted, and waive minor discrepancies in bidding procedures, as it deems to be in its best interest.

This project has been partially funded by a grant for the United States Department of Transportation and shall comply with all the Equal Employment Opportunity and Affirmative Action Policies as set forth by this department. U of M Targeted Business and Urban Community Economic Development Program does not apply reference attachment **RFB -2 DBE Description of Work and Field Monitoring Report**.

Bid result information may be obtained via **e-mail** request to Mr. Denis Larson at: [d-lars@umn.edu](mailto:d-lars@umn.edu)

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## Non-State Bids, Contracts & Grants

Prebid access to the work site is limited to specific times and dates. A pre-bid site tour is scheduled for Thursday, January 27, 2011 at 9:00 AM. Meet in the 1<sup>st</sup> floor elevator lobby of the U of M Oak Street Parking Ramp, 401 Oak Street SE, Minneapolis, MN 55455.

REGENTS OF THE UNIVERSITY OF MINNESOTA  
Mr. Denis Larson  
CPPM & Facilities Management Purchasing Manager  
E-mail: [d-lars@umn.edu](mailto:d-lars@umn.edu)

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## Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155

(1 block east of I-35E Bridge, 1 block north of University Ave.)

### **FREE PARKING**

Phone: (651) 297-3000; Fax: (651) 215-5733

E-mail: <http://www.minnesotasbookstore.com>

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in **FULL COLOR** - We have them at \$1.00 per map

**WE ARE "MAP CENTRAL"**

--- WE HAVE **THOUSANDS** OF MAPS ---

- County Plat Books
- (PRIM) Public Recreation Information Maps
- County Highway Maps
- Lake Depth Maps
- Hiking and Biking Maps
- Minnesota Atlas and Gazetteer
- Minnesota Highway and Recreational Atlas
- Fishing/Hunting Maps
- Fishing Hot Spots

### ***Woodworking for Wildlife* - updated, Stock No. 275, \$19.95**

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*. Along with designs for 28 different nest box projects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. *Woodworking for Wildlife* was printed in Minnesota on recycled paper manufactured in Cloquet and certified by the Forest Stewardship Council.



**Several convenient ways to order:**

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip

Daytime phone (In case we have a question about your order) \_\_\_\_\_

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Shipping Charges**

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

*(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)*

**TOTAL** \_\_\_\_\_

If tax exempt, please provide ES number or completed exemption form.  
ES# \_\_\_\_\_