

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

Judicial Notice Shall Be Taken of Material Published in the *State Register*

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- Withdrawn Rules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. 36 Issue Number	PUBLISH DATE (BOLDFACE shows altered 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
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# 29	Monday 6 February	Noon Tuesday 31 January	Noon Wednesday 25 January
# 30	Monday 13 February	Noon Tuesday 7 February	Noon Wednesday 1 February
# 31	TUESDAY 21 FEBRUARY	Noon Tuesday 14 February	Noon Wednesday 8 February

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Lieutenant Governor: Yvonne Prettnier Solon (651) 296-3391	Plant Management Division: David Fielding (651) 201-2350	Assistant editor: John Mikes (651) 297-4616
Attorney General: Lori Swanson (651)296-6196	Minnesota's Bookstore: Mary Mikes (651) 297-3979	Subscriptions Manager: Loretta J. Diaz (651) 297-8777
Auditor: Rebecca Otto (651) 296-2551		
Secretary of State: Mark Ritchie (651) 296-2803		

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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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Comments on Planned Rules or Rule Amendments. 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, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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.

Minnesota Department of Labor and Industry (DLI)

Construction Codes and Licensing Division

Proposed Permanent Rules Relating to Fire Code

(In cooperation with the State Fire Marshal Division, Department of Public Safety)

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to and Repeal of Rules Governing the Minnesota State Fire Code, *Minnesota Rule* parts 7511.0903, 7511.0907, 7511.3800, 7511.4500, 7511.8500, 7511.8510, 7511.8520, 7511.8530, 7511.8540, 7511.8550, 7511.8560 and 7511.8570

Introduction. The Department of Labor and Industry, in conjunction with the State Fire Marshal Division, intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until Friday, March 2, 2012.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Colleen Chirhart at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

Subject of Rules and Statutory Authority. The Minnesota Department of Labor and Industry ("Department") requests comments on: 1) its possible amendment to rule parts governing National Fire Protection Association ("NFPA") standards that are referenced in the Minnesota State Fire Code; and 2) its possible repeal of rule parts governing minimum flammability and labeling standards for seating furniture in public occupancies. The Department, in cooperation with the State Fire Marshal Division of the Minnesota Department of Public Safety, is considering rule amendments to *Minnesota Rule* parts 7511.0903, 7511.0907, 7511.3800, and 7511.4500 to update certain NFPA standards that are referenced in the Minnesota State Fire Code through Chapter 45 of the International Fire Code. The Department is also proposing to repeal *Minnesota Rules*, parts 7511.8500, 7511.8510, 7511.8520, 7511.8530, 7511.8540, 7511.8550, 7511.8560 and 7511.8570, governing minimum flammability and labeling standards for seating furniture in public occupancies. These rules are no longer needed because the requirements in these rule parts have been included in the 2006 *International Fire Code* ("IFC"), section 805. The IFC is made a part of State Fire Code by *Minnesota Rule*, part 7511.0090, subject to the alterations included in Chapter 7511 of the rules.

Proposed Rules

The statutory authority to adopt the rules is *Minnesota Statutes*, section 326B.02, subdivision 6 requires the Department to adopt and make amendments to the State Fire Code consistent with the recommendations of the state fire marshal. *Minnesota Statutes*, section 299F.011, subdivision 3, requires the Department of Public Safety to adopt rules as may be necessary to administer and enforce the State Fire Code. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Friday, March 2, 2012, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on Friday, March 2, 2012. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Department will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Department may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone:** (651) 296-5148 or 1-800-657-3889.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Department submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 6 January 2012

Ken P. Peterson, Commissioner
Department of Labor and Industry

In consultation with:

Dated: 5 January 2012

Jerry Rosendahl, State Fire Marshal
Department of Public Safety

7511.0090 RULES CODES AND STANDARDS INCORPORATED BY REFERENCE.

Subpart 1. **International Fire Code.** For purposes of this chapter, “IFC” means the 2006 edition of the International Fire Code as promulgated by the International Code Council, Inc., Falls Church, Virginia. The IFC is incorporated by reference and made a part of Minnesota Rules pursuant to statutory authority, subject to the alterations and amendments in this chapter. Portions of this chapter reproduce text and tables from the IFC. The IFC is not subject to frequent change and is available at the office of the commissioner of the Department of Labor and Industry and at the State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155. The IFC is copyright 2006 by the International Code Council, Inc. All rights reserved.

Subp. 2. **National Fire Protection Association Standard No. 58.** For purposes of this chapter, “NFPA 58” means the National Fire Protection Association Standard Number 58, Standard for the Storage and Handling of Liquefied Petroleum Gases, 2011 Edition, as promulgated by the National Fire Protection Association, Quincy, Massachusetts. The NFPA 58, 2011 Edition, is incorporated by reference and made part of Minnesota Rules pursuant to statutory authority, subject to alterations and amendments in this chapter. The NFPA 58 is not subject to frequent change and is available at the Department of Labor and Industry and at the State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155. The NFPA 58 is copyright 2010 by the National Fire Protection Association. All rights reserved.

7511.0903 SECTION 903, AUTOMATIC SPRINKLER SYSTEMS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **IFC Section 903.3.1.** IFC Section 903.3.1 is amended by adding sections to read:

903.3.1.4 Buildings of undetermined use. When fire sprinkler systems are required in buildings of undetermined use, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use with a minimum design area of 3,000 square feet (279 m²).

Use is considered undetermined if not specified at the time a permit is issued.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner to upgrade the system to the required density for the new hazard, use or occupancy.

903.3.1.5 Special sprinkler design criteria. When fire sprinkler systems are required in areas containing the following uses, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use:

1. Chemistry labs; or
2. Wrestling or gymnastic rooms.

903.3.1.6 Modifications to sprinkler standards. The sprinkler installation standards as referenced in Sections 903.3.1.1, 903.3.1.2, and 903.3.1.3 are modified as follows:

903.3.1.6.1 Hose stream requirements. When, in the opinion of the fire chief, an adequate alternate water supply for hose stream requirements is provided or available, the water supply requirements for the sprinkler system hose stream demands may be modified.

903.3.1.6.2 Elevator shafts and equipment. Sprinkler protection shall not be installed in elevator shafts, elevator pits or elevator machine rooms.

903.3.1.6.3 Swimming pools. Sprinkler protection need not be provided on the ceiling of rooms containing swimming pools when the pool area is used exclusively for swimming purposes and when sprinklers are provided around the perimeter of the pool area.

903.3.1.6.4 NFPA 13 modifications. Sections ~~8.6.4.1.4.2, 8.6.4.1.4.3, 8.14.8.2 8.15.8.2, and 8.16.2.5 8.17.2.5~~ of NFPA 13 are amended to read:

~~**8.6.4.1.4.2 Combustible spaces; installation near peak.** Sprinklers under a roof or ceiling in combustible concealed spaces of wood joist or wood truss construction with members 3 feet (0.9 m) or less on center and a slope having a pitch of four in 12 or greater shall be installed so that a row of sprinklers is installed within 12 inches (305 mm) horizontally of the peak and 1-12 inches (25.4-305 mm) down from the bottom of the top chord member.~~

Proposed Rules

~~8.6.4.1.4.3 Combustible spaces; installation along eave.~~ Sprinklers under a roof or ceiling in combustible concealed spaces of wood joist or wood truss construction with members 3 feet (0.9 m) or less on center and a slope having a pitch of four in 12 or greater shall be installed so that the sprinklers installed along the eave are located not less than 5 feet (1.5 m) from the intersection of the truss cords.

~~8.14.8.2 8.15.8.2 Linen closets and pantries.~~ Sprinklers are not required in linen closets and pantries within dwelling units that meet the following conditions:

1. The area of the space does not exceed 12 square feet (1.1 m²).
2. The least dimension does not exceed 3 feet (0.9 m).
3. The walls and materials are surfaced with noncombustible or limited combustible materials.
4. The closet or pantry contains no mechanical equipment, electrical equipment or electrical appliances.

~~8.16.2.5 8.17.2.5 Valves.~~

~~8.16.2.5.1 8.17.2.5.1 Fire department connection.~~ A listed check valve shall be installed in each fire department connection.

~~8.16.2.5.1.1 8.17.2.5.1.1 Maximum pipe length.~~ There shall be a maximum of 25 feet (7.6 m) of pipe between the check valve and the fire department connection inlet.

Exception: This maximum shall not apply to the check valve serving a free-standing fire department connection.

~~8.16.2.5.1.2 8.17.2.5.1.2 Check valve location.~~ The check valve shall be located to minimize freezing potential.

[For text of subs 5 to 8, see M.R.]

7511.0907 SECTION 907, FIRE ALARM AND DETECTION SYSTEMS.

[For text of subs 1 to 19, see M.R.]

Subp. 20. **IFC Sections 907.3.4 through 907.3.6.1.** IFC Section 907.3 is amended by adding sections to read:

907.3.4 Group R-1, general. A fire alarm system shall be installed in accordance with Sections 907.3.4 through 907.3.4.3 in existing Group R-1 occupancies three or more stories in height or with 20 or more guest rooms.

Exception: A fire alarm system is not required in buildings that do not have interior corridors serving guest rooms and where each guest room has an exit door opening directly to an exterior exit access that leads directly to the exits.

907.3.4.1 Initiation. Initiation of the fire alarm system shall be by automatic means. Approved automatic fire detectors shall be provided in boiler and furnace rooms, shops, laundry rooms, mechanical and electrical rooms, trash-collection rooms, storage rooms, gift shops, locker rooms and similar areas. Automatic smoke detectors shall be provided in all common areas and interior corridors serving as required means of egress.

Exception: System fire and smoke detectors are not required when an approved automatic fire-extinguishing system is installed throughout the building and manual activation is provided at a constantly attended location.

907.3.4.2 Notification. Activation of the fire alarm system or automatic sprinkler system shall initiate a general evacuation signal.

907.3.4.3 Guest room detectors. Guest room smoke detectors required by Section 907.2.10 shall not be connected to a fire alarm system.

Exception: Connection of such detectors for annunciation only.

907.3.5 Group R-2, general. A fire alarm system shall be installed in accordance with Sections 907.3.5 through 907.3.5.2 in existing Group R-2 occupancies where:

1. Any guest room or dwelling unit is located two or more stories above the story containing the lowest level of exit discharge;
2. Any guest room or dwelling unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit;

3. The building contains more than 16 dwelling units or guest rooms; or
4. The building is used as a dormitory, convent, monastery, fraternity or sorority and has an occupant load of 20 or more.

Exception: A fire alarm system is not required in buildings that do not have interior corridors serving guest rooms and where each dwelling unit has an exit door opening directly to an exterior exit access that leads directly to the exits.

907.3.5.1 Initiation. Initiation of the fire alarm system shall be by automatic means. Approved automatic fire detectors shall be provided in boiler and furnace rooms, shops, laundry rooms, mechanical and electrical rooms, trash-collection rooms, storage rooms and similar areas. Automatic smoke detectors shall be provided in all common areas and interior corridors serving as required means of egress.

Exception: System fire and smoke detectors are not required when an approved automatic fire-extinguishing system is installed throughout the building.

907.3.5.2 Notification. Activation of the fire alarm system or automatic sprinkler system shall initiate a general evacuation signal.

907.3.5.3 Dwelling unit smoke detectors. Dwelling unit smoke detectors required by Section 907.3.6 shall not be connected to the building fire alarm system.

Exception: Connection of such detectors for annunciation only.

907.3.6 Single- or multiple-station smoke alarms. Existing Group R occupancies not already provided with single- or multiple-station smoke alarms shall be provided with approved single- or multiple-station smoke alarms installed and maintained in accordance with Section 907.2.10.

Exception: For buildings constructed prior to August 1, 1989, detectors can receive their power from a battery supply. For buildings constructed on or after August 1, 1989, detectors shall be connected to a centralized power source.

907.3.6.1 Fire station and emergency medical quarters. Areas used for sleeping in fire stations and emergency medical and ambulance crew quarters shall be provided with single station smoke detectors in accordance with Section 907.3.6.

907.3.6.2 NFPA 72 Modification. NFPA 72 Section 29.5.1 is amended by adding an exception to section 29.5.1.1(1).

Exception: Smoke alarms shall not be required in sleeping rooms in existing one and two-family dwellings and existing apartment buildings.

[For text of subps 21 to 25, see M.R.]

7511.3800 CHAPTER 38 - LIQUEFIED PETROLEUM GASES.

Subpart 1.NFPA 58 modification. IFC Chapter 38 is deleted in its entirety and replaced with the following: NFPA 58 in its entirety, except as amended by this part.

CHAPTER 38
LIQUEFIED PETROLEUM GASES
SECTION 3801
NFPA STANDARD NO. 58 INCORPORATED

~~**3801.1 Incorporation by reference.** The storage, handling, transportation, and use of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses shall be designed, constructed, installed, operated, and maintained in accordance with the provisions of the National Fire Protection Association Standard No. 58, Standard for the Storage and Handling of Liquefied Petroleum Gases (Quincy, Massachusetts, 2004). Standard No. 58, as amended by Section 3802, is incorporated by reference, is not subject to frequent change, and is available at the State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155.~~

SECTION 3802
AMENDMENTS TO NFPA STANDARD NO. 58

Subp. 2.Chapter 1, Section 1.1; scope. 3802.1 Amendments: Section 1.1 is amended to read as follows:

Proposed Rules

NFPA 58 shall apply to The storage, handling, transportation and use of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses, ~~except as amended by this section~~ shall comply with NFPA 58.

Subp. 3. Chapter 6 amendments. The following sections in Chapter 6 of NFPA 58 are amended as follows:

1. Section ~~6.4.5.6~~ 6.4.5.7. Section ~~6.4.5.6~~ 6.4.5.7 of NFPA Standard No. 58 is amended to read:

~~6.4.5.6~~ 6.4.5.7. No horizontal separation shall be required between aboveground LP-Gas containers and underground tanks containing flammable or combustible liquids installed in accordance with Chapter 34 of the International Fire Code.

2. Section 6.4.5.10. Section 6.4.5.10 of NFPA Standard No. 58 is amended to read:

6.4.5.10 The minimum separation between LP-Gas containers and liquefied hydrogen containers shall be in accordance with Chapter 32 of the International Fire Code.

3. Table 6.5.3. Footnote “b” of Table 6.5.3 of NFPA Standard No. 58 is amended to read:

b. Walls constructed of noncombustible materials having a fire rating of at least one hour as determined by the Building Code.

4. Section 6.6.7.1. Section 6.6.7.1 of NFPA Standard No. 58 is amended to read:

6.6.7.1. Installation of containers on roofs of buildings shall be prohibited.

5. Section 6.6.7.2. Section 6.6.7.2 of NFPA Standard No. 58 is deleted.

6. Section ~~6.17.11.1~~ 6.19.11.1. Section ~~6.17.11.1~~ 6.19.11.1 of NFPA Standard No. 58 is deleted.

7. Section ~~6.20.2.1~~ 6.22.2.1. Section ~~6.20.2.1~~ 6.22.2.1 of NFPA Standard No. 58 is amended to read:

~~6.20.2.1~~ 6.22.2.1 Electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with the Electrical Code for ordinary locations except that fixed electrical equipment in classified areas shall comply with Section ~~6.20.2.2~~ 6.22.2.2.

8. Section ~~6.20.2.2~~ 6.22.2.2. The first sentence of Section ~~6.20.2.2~~ 6.22.2.2 of NFPA Standard No. 58 is amended to read:

~~6.20.2.2~~ 6.22.2.2 Fixed electrical equipment and wiring installed within the classified areas specified in Table ~~6.20.2.2~~ 6.22.2.2 shall comply with Table ~~6.20.2.2~~ 6.22.2.2 and shall be installed in accordance with the Electrical Code.

Subp. 4. Chapter 10, Section 10.2.3. ~~9. Section 10.2.3.~~ Section 10.2.3 of NFPA Standard No. 58 is amended to read:

10.2.3 Structure or building heating. Heating shall be by steam or hot water radiation or other heating transfer medium with the heat source located outside the building or structure (see Section ~~6.20~~ Ignition Source Control 6.22), or by electrical appliances listed for Class I, Group D, Division 2 locations, in accordance with the Electrical Code.

7511.4500 CHAPTER 45 - REFERENCED STANDARDS.

Chapter 45 of the IFC is amended by changing the effective date of National Fire Protection Association (NFPA) Standards Nos. 1123 and 1126 to 2006. The standard reference number listed for NFPA 1123 is changed to 1123-06, and the standard reference number listed for NFPA 1126 is changed to 1126-06. This list of referenced standards in IFC Chapter 45 is modified as follows:

A. References to NFPA 11-02 shall be deleted and replaced with references to NFPA 11-05.

B. References to NFPA 11A-99 shall be deleted.

C. References to NFPA 12-00 shall be deleted and replaced with references to NFPA 12-08.

Proposed Rules

D. References to NFPA 12A-04 shall be deleted and replaced with references to NFPA 12A-08.

E. References to NFPA 13-02 shall be deleted and replaced with references to 13-10.

F. References to NFPA 13R-02 shall be deleted and replaced with references to NFPA 13R-10.

G. References to NFPA 14-03 shall be deleted and replaced with references to NFPA 14-07.

H. References to NFPA 20-03 shall be deleted and replaced with references to NFPA 20-10.

I. References to NFPA 25-02 shall be deleted and replaced with references to NFPA 25-08.

J. References to NFPA 30-03 shall be deleted and replaced with references to NFPA 30-08.

K. References to NFPA 30A-03 shall be deleted and replaced with references to NFPA 30A-08.

L. References to NFPA 58-04 shall be deleted and replaced with references to NFPA 58-11.

M. References to NFPA 72-02 shall be deleted and replaced with references to NFPA 72-10.

N. References to NFPA 2001-04 shall be deleted and replaced with references to NFPA 2001-08.

O. References to NFPA 1123-00 shall be deleted and replaced with references to NFPA 1123-06.

P. References to NFPA 1126-01 shall be deleted and replaced with references to NFPA 1126-06.

REPEALER. Minnesota Rules, parts 7511.8500; 7511.8510; 7511.8520; 7511.8530; 7511.8540; 7511.8550; 7511.8560; and 7511.8570, are repealed.

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 Labor and Industry (DLI) Adopted Exempt Permanent Rules Adopting OSHA Standards for Window Cleaning and Building Maintenance

The rules proposed and published at *State Register*, Volume 36, Number 15, pages 510-513, October 31, 2011 (36 SR 510), are adopted with the following modifications:

5205.0730 WINDOW CLEANING; BUILDING MAINTENANCE.

Subpart 1. **Scope.** This standard applies to all window cleaning operation, building maintenance operation, or a combination of both, that is performed on the inside or outside of any building, structure, or skyway, when the work is performed ~~from~~ at a level that is ~~located~~ suspended more than 14 feet above grade or on an adjoining flat roof or other flat surface. This requirement does not apply to a window washing operation or building maintenance operation that is performed from grade level or from a ladder supported at grade.

Subp. 2. **Definitions.** The terms used in this part have the meanings given them in this subpart.

C. "Competent person" means an experienced and trained individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate the hazards.

D. "Lifeline" means a flexible line for connection to an anchorage at one end to hang vertically (vertical lifeline), or for connection to anchorages at both ends to stretch horizontally (horizontal lifeline), and which serves as a means for connecting other components of a personal fall-arrest system to the anchorage.

~~D.E.~~ "Person" means an individual or legal entity, including a lessee.

~~E.E.~~ "Qualified individual" means an individual who, by possession of a recognized degree, certificate, or professional standing, or and who by extensive knowledge, training, and experience has successfully demonstrated the ability to solve or resolve problems relating to the equipment and systems pertaining to the work or project, and the development of plans for the work or project.

~~F.G.~~ "Rope descent system" means ~~a suspension device~~ an assembly of components that supports one employee in a chair or seat board and allows the user to descend in a controlled manner and to stop at any time at a desired level of descent. A rope descent system is a variation of the single-point adjustable suspension scaffold, which is also known as a controlled descent device, controlled descent equipment, or controlled descent apparatus.

Exempt Rules

~~G. H.~~ “Window cleaning” means operations such as window washing, window restoration, window scraping, window sealing, waxing, or metal polishing, or any combination of the ~~three~~ six.

Subp. 3. **Written plan.** Any person performing window cleaning operations or building maintenance operations shall provide a written plan developed by the employer or qualified individual ~~to~~ before the work begins. The written plan shall be reviewed with the employees doing the work and the building owner or the building owner’s operating agent. The written plan shall include the following:

A. the location of work where workers may utilize suspended equipment, ~~or~~ and where workers are exposed to falls and other known hazards;

Subp. 4. **Building exterior; visual inspection.** Prior to using any equipment, the building exterior shall be visually inspected by a competent person and appropriate measures shall be taken to ensure that building features such as sharp edges of parapets, window frames, ledges, cornices, or overhangs cannot impair the structural integrity of the rope descent system, or other suspension equipment, and any associated fall-protection rigging. Padding shall be secured in a manner that prevents the padding from dislodging from the surface to be protected. A written signed log of the inspection shall be maintained on site for the duration of the operation and retained by the employer for one year.

Subp. 5. **Anchorage.** ~~Building owners, window cleaning contractors, and building maintenance contractors shall not allow suspended work to be performed until~~ A qualified individual ~~has determined~~ shall determine that there are identified and certified anchorages for:

A. independent safety lines; tiebacks for outriggers, parapet clamps, and cornice hooks; and ~~primary support anchorages for~~ powered and manual boatswain’s chairs;

B. ~~primary support anchorages for rope descent systems; and~~

C. ~~horizontal rope lines or lifelines; and,~~

~~D. any other applicable OSHA standard when the requirement is for the protection of employees. The building owner or its representative shall provide written documentation of the identified and certified anchorages to window cleaning contractors and building maintenance contractors. Building owners shall not allow suspended work to be performed at their facility, and window cleaning contractors and building maintenance contractors shall not perform suspended work at a facility, until a qualified individual has determined that there are identified and certified anchorages for items A to C.~~

Subp. 6. **Rope descent systems.**

A. The use of a rope descent system is prohibited for heights greater than 300 feet unless the ~~employer~~ qualified individual can demonstrate that access cannot otherwise be attained safely and practicably.

B. When a rope descent system is used, each employer and competent person shall:

(1) ensure the use of equipment according to the instructions, warnings, and design limitations of the manufacturer and distributor;

(4) ensure the use of proper rigging, including structural anchorages and tiebacks, with a particular emphasis on providing tiebacks when counterweights, cornice hooks, and parapet clamps, or similar nonpermanent anchorages, are used;

(5) ensure the use of a separate, independent personal fall-arrest system with a separate anchorage point;

(6) ensure that all ~~fall-arrest lines~~ lifelines are capable of sustaining a minimum tensile load of 5,000 pounds;

(8) ensure ropes are effectively padded where they contact edges of the building, anchorage, obstructions, ~~or~~ and other surfaces which might cut or weaken the rope as required by subpart 4;

(12) protect suspension ropes and lifelines from exposure to open flames, hot work, corrosive chemicals, or other destructive conditions; and

Exempt Rules

Subp. 7. Fall protection.

A. Fall protection, perimeter guarding, personal fall-arrest systems, or personal fall-restraint systems shall be provided by the employer for every employee in all work areas that expose the employee to a fall hazard ~~when approaching within six feet of an unguarded edge or unguarded skylight.~~

C. Employees shall wear and completely assemble their personal fall-arrest equipment, and be securely tied back prior to approaching the point of suspension.

Subp. 8. Training requirements.

B. The employer shall ensure that each employee is trained by a qualified individual or competent person. The employee shall be trained in the following areas:

EFFECTIVE DATE. Minnesota Rules, parts 5205.0650 to 5205.0730, are effective March 1, 2012.

Official Notices

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

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

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**Minnesota Higher Education Facilities Authority (MHEFA)
Notice of Public Hearing on Revenue Obligations on Behalf of the Minneapolis
College of Art and Design**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the “Authority”) with respect to the proposal to issue revenue bonds or other obligations on behalf of the Minneapolis College of Art and Design, a Minnesota nonprofit corporation (the “College”), an institution of higher education, at the Authority’s offices at 380 Jackson Street, Suite 450, St. Paul, Minnesota, on Wednesday, February 15, 2012, at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount of up to \$8,400,000: (a) to finance the following: (i) replace and install heating, electrical and plumbing equipment in Main Building and Morrison Building; (ii) repair and renovate building exteriors and replace and install electrical panel equipment at Liberal Arts Wing, Morrison Building and Main Building, and at the buildings located at 148 – 26th Street West, 2540 Third Avenue South and 2537 Stevens Avenue South; (iii) acquire and install wired and wireless technology equipment in residence buildings at 2540 Third Avenue South and 2550 Third Avenue South and acquire and install a laser cutter and dust collector and renovate classrooms in Main Building (collectively, the “Project”); (b) to refund the Authority’s Revenue Bonds, Series Five-K (Minneapolis College of Art and Design) (the “Series Five-K Bonds”); and (c) to refund the Authority’s Revenue Notes, Series Six-Z (the “Series Six-Z Notes”).

The Series Five-K Bonds were originally issued to prepay a variable rate promissory note from the College to a commercial lender dated May 14, 2001, incurred by the College to temporarily finance a project consisting of (a) the acquisition, refurbishing, equipping and furnishing of two apartment buildings and related real estate, landscaping and parking for student housing located at 2540 Third Avenue South and 2550 Third Avenue South, respectively, (b) the renovation, refurbishing, improvement and equipping of the Julia Morrison Memorial Building and the Library, and (c) the demolition of an existing residence on the College’s campus and the construction, installation and landscaping of a parking lot. The Series Six-Z Notes were originally issued to finance the construction and improvements of an approximately 40,118 square foot surface parking lot and related landscaping improvements consisting of an approximately 12,282 square foot sculpture garden located on the College campus.

The above-referenced projects are owned and operated by the College and located on or adjacent to its main campus, the principal street address of which is 2501 Stevens Avenue South, Minneapolis, Minnesota.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project and the refundings of the Series Five-K Bonds and the Series Six-Z Notes.

Dated: 30 January 2012

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

**Minnesota Housing Finance Agency (MHFA)
Notice of Public Hearing on 2013 Housing Tax Credit Allocation Plan**

The Minnesota Housing Finance Agency (Minnesota Housing) will hold a public hearing pursuant to Section 42 of the Internal Revenue Code of 1986, as amended. The public hearing will be held at the time and place listed below:

Wednesday February 22, 2012
1:00 P.M. to 3:00 P.M. –
State Street Conference Room, First Floor
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN

The Omnibus Budget Reconciliation Act of 1989 (OBRA) requires that Housing Tax Credit Allocating Agencies develop a plan for allocating tax credits within their jurisdiction, setting forth criteria to determine priorities for selection of developments to receive tax

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credits. The OBRA also requires Tax Credit Agencies to hold a public hearing to receive public comment on the Allocation Plan.

The above public hearing is for the 2013 Allocation Plan developed by Minnesota Housing, in cooperation with local government representatives, for use within the Tax Credit Allocation jurisdiction of Minnesota Housing. Other Tax Credit Suballocating Agencies in Minnesota will be holding public hearings for their areas of jurisdiction. Currently, the following cities and counties are eligible to be Suballocating Agencies in Minnesota: Duluth, St. Cloud, Rochester, Minneapolis, St. Paul, Washington County and Dakota County.

All persons interested will be given an opportunity to express their views. In order to more effectively plan for the conduct of the hearings, persons desiring to speak at the hearing must so request in writing at least 24 hours before the hearing. Oral remarks by any person will be limited to 10 minutes. Written comments may also be submitted to the undersigned, and will be considered at the hearing. Note that this public hearing is not a workshop or training session, but is intended to solicit the comments of the public.

Copies of summaries of the proposed changes to the Housing Tax Credit Procedural Manual and Qualified Allocation Plan are available at the address listed below, by written or phone request or by checking the Minnesota Housing web site.

Minnesota Housing Finance Agency
Multifamily Underwriting
Housing Tax Credit Program
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998
Phone: (651) 296-4451
E-mail: www.mnhousing.gov

Minnesota Department of Human Services (DHS)

Division of Disability Services

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Aversive and Deprivation Procedures in Licensed Facilities Serving Persons With Developmental Disabilities, *Minnesota Rules*, 9525.2700 - 9525.2810

Subject of Rules. The Minnesota Department of Human Services requests comments on its possible amendment to rules governing Aversive and Deprivation Procedures in Licensed Facilities Serving Persons With Developmental Disabilities. The Department is considering rule amendments that are consistent with the demands of the Stipulated Class Action Settlement Agreement approved by the Federal Court in *Jensen, et al. v. Minnesota Department of Human Services, et.al.*, Court File No. 09-CV-1775 (DWF/FLN). The Department has agreed to make revisions that “modernize” the rule to “reflect current best practices, including, but not limited to the use of positive and social behavioral supports, and the development of placement plans consistent with the principle of the “most integrated setting” and “person centered planning, and development of an ‘Olmstead Plan.’”

The Department may expand the scope of this rule to apply to currently unlicensed services or populations not currently protected by this rule. Toward that effort and remaining consistent with the settlement agreement, the Department’s rule revision will address other relevant issues that come up, but only as the Department deems to have time.

Persons Affected. The amendment to the rules would likely affect providers of services to persons with developmental disabilities, recipients of those services and their families, and advocates for persons with developmental disabilities. Providers currently not subject to the rules might be affected if scope of this rule is expanded.

Statutory Authority. *Minnesota Statutes*, section 245.825, requires the Department to adopt rules for governing the use of aversive and deprivation procedures in all licensed facilities and licensed services serving persons with developmental disabilities as defined in section 252.27, subdivision 1a.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further

notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does plan to appoint an advisory committee to comment on the possible rules. The advisory committee will consist of at least one representative from the following groups and organizations: parents of persons with developmental disabilities, independent experts, DHS representatives, the Ombudsman for Mental Health and Developmental Disabilities, the Minnesota Governor's Council on Developmental Disabilities, Minnesota Disability Law Center, Plaintiffs' counsel, and others as agreed upon by the parties to the settlement agreement referenced above.

Rules Drafts. The Department has not yet drafted the possible rules amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Dean Ritzman at Minnesota Department of Human Services, P.O. Box 64967, St. Paul, MN 55164-0967, **phone:** (651) 431-2444, **fax:** (651) 431-7411 and **e-mail:** dean.ritzman@state.mn.us. TTY users may call MN Relay at 711 or (800) 627.3529. Written comments, questions, and requests for more information on the rulemaking process should be directed to: Bob Klukas, Department of Human Services, Appeals and Regulations Division, P.O. Box 64941, St. Paul, MN 55164-0941, **phone:** (651) 431-3613, **fax:** at (651) 431-7523, **e-mail:** robert.klukas@state.mn.us.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 18 January 2012

Lucinda Jesson, Commissioner
Department of Human Services

Minnesota Department of Human Services (DHS) Request for Statements of Interest in the Public Planning Committee on the Development of the Minnesota Olmstead Plan

The Minnesota Department of Human Services ("the Department") will convene an Olmstead Planning Committee ("the Committee") consistent with the Stipulated Class Action Settlement Agreement approved by the Federal Court in *Jensen, et al. v. Minnesota Department of Human Services, et al.*, Court File No. 09-CV-1775 (DWF/FLN). The Committee will issue public recommendations to the Department in November of 2012. The Department will utilize these recommendations in the development and implementation of a comprehensive Olmstead Plan that uses measurable goals to increase the number of people with disabilities receiving services that best meet their needs in the "Most Integrated Setting" and is consistent with the U. S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 582 (1999).

The Department is seeking Statements of Interest ("SOI") from individuals interested in serving on the Committee. Interested persons should demonstrate an understanding of the spirit and intent of the *Olmstead* decision, best practice in the field of disabilities, and a long-standing commitment to the systemic change that respects the human and civil rights of people who experience disabilities such as developmental disabilities, mental illness, or other disabling conditions.

The anticipated time commitment is one meeting each month for eight months. The first Committee meeting is scheduled for **March 7, 2012, from 9:00 a.m. to 12:00 p.m. at 444 Lafayette Road, St. Paul, MN, in room 3148**. Consistent with the settlement agreement, the Department would like SOIs from parents or other family members of persons who experience disabilities, individuals who experience disabilities (including Self-Advocates), independent experts, providers, and other interested parties. Below are descriptions of the preferred qualifications to be considered when selecting individuals to serve on the Committee. Some employees of the Department as well

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as plaintiffs' counsel to the settlement agreement will review the SOIs.

All persons expressing an interest in serving on this committee will be requested to write a brief statement summarizing their interest in serving on the committee, their experiences in advocacy, and knowledge and experience with the "Most Integrated Setting" as it relates to the lives of people who experience disabilities.

Parents and other Family Members. Parents and other family members should briefly describe their background and experience involving people who experience disabilities. They should also describe their experience advocating for and representing these individuals and anything else they believe is useful for the Department and plaintiffs' counsel to the lawsuit to know in making their selection.

Individuals Who Experience Disabilities (including Self Advocates). Individuals interested in serving on the committee should briefly describe what training and experience they have had in self-advocacy or advocacy on behalf of individuals with disabilities. This should include experience in working with large groups with diverse membership.

Independent experts. Independent experts include professionals who practice in the areas of developmental disabilities, mental illness, or other disabilities and who have achieved advanced degrees in areas such as psychology, education, clinical social work, nursing, or physicians with an MD practicing in psychiatry. Interested persons should briefly describe their understanding of the spirit and intent of the *Olmstead* decision, training and experience in person-centered planning and other best practices in the field of disabilities, and examples of a long-standing commitment to the human and civil rights of people who experience disabilities.

Service Providers. Service providers should briefly describe their understanding of the spirit and intent of the *Olmstead* decision, training and experience in person-centered planning and other best practices in the field of disabilities, and examples of a long-standing commitment to the human and civil rights of people who experience disabilities. In addition, service providers should provide the number of individuals served, the types of services, licensing status, and the geographic area of the state where providing services.

Other interested parties. Other parties who are interested in serving on the Committee should briefly describe their background and experience involving people who experience disabilities, their understanding of the spirit and intent of the *Olmstead* decision, and examples of a long-standing commitment to the human and civil rights of people who experience disabilities, and why they would like to serve on the Committee.

If you are interested in submitting a Statement of Interest, please complete the form at
<http://survey.dhs.state.mn.us/surveylogin.asp?k=132709584787>

to submit the form online or contact the Department by phone or mail to have a paper copy sent to you. Reimbursement of some expenses may be made available for some committee members based on need. Completed SOI forms must be received by the Department by **February 13, 2012**.

To request a paper copy of the SOI form:

Call (65) 431-2137 or MN Relay: 711 or 800.627.3529
Mail your request for a paper copy AND send your completed form to:
Minnesota Department of Human Services
Disability Services Division
P.O. Box 64967
St. Paul, MN 55164-0967
ATTN: Cynthia Godin

Scanned copies of completed SOI may be sent to:
cynthia.godin@state.mn.us

The Department values and strives for a diverse committee composition including gender, racial, geographic, age, and socioeconomic diversity.

Metropolitan Council

Notice of Public Meeting on Arterial Transitway Corridor Study

The Metropolitan Council will hold a public meeting to share results and receive input from local policymakers on the Arterial Transitway Corridors Study. The study develops conceptual facility and service plans to increase local bus speed and reliability on high ridership urban corridors. Study corridors include West Broadway Avenue, Central Avenue, Snelling Avenue, Robert Street, East Seventh Street, West Seventh Street, Nicollet Avenue, Chicago Avenue, American Boulevard, Hennepin Avenue, and Lake Street. Study corridors will be recommended for additional planning and analysis based on an evaluation process. For more information on the study, visit:

<http://www.metrotransit.org/arterial-study.aspx> or contact: ATCS@metc.state.mn.us.

The February 8, 2012 public meeting will be informational in nature and is geared toward invited policymakers or executive staff from cities, counties, and agencies along study corridors. Additional public open house/outreach efforts will be scheduled and promoted at later dates in February and March 2012. This policymaker meeting is open to the public; all interested persons are encouraged to attend the meeting. Comments may also be submitted to ATCS@metc.state.mn.us.

The policymaker meeting will be held at the following time and location:

February 8, 2012: 6:00 p.m. to 7:30 p.m.

Informal open house materials displayed outside Council Chambers starting 5:00p.m.

Metropolitan Council, Chambers

390 Robert St N, St. Paul

Served by multiple transit routes,

call 612-373-3333 of metrotransit.org for details

The Metropolitan Council is the regional planning organization for the seven-county Twin Cities area. The Council runs the regional bus and light rail system and Northstar commuter rail, collects and treats wastewater, coordinates regional water resources, plans regional parks and administers funds that provide housing opportunities for low- and moderate-income individuals and families. The Council board is appointed by and serves at the pleasure of the governor.

Department of Natural Resources (DNR)

Notice of Conveyance to Establish Boundary Line Relating to Certain State Landholdings

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes*, section 84.0273, the State of Minnesota proposes to convey by an agreement and conveyance document and quit claim deed such rights, titles and interests in state lands located in Morrison County to Rita Faust, a single person, and William H. Faust and Sandra M. Faust, husband and wife, who in turn propose to convey by the same agreement and quitclaim deed such right titles and interests in its adjacent lands as are necessary for the purpose of establishing boundaries.

The reason for the conveyance is that the parties wish to establish of record a common boundary line between the properties and all parties desire establishing the boundary line of record.

Additional information about this conveyance or a copy of the proposed conveyance can be obtained by contacting:

Minnesota Department of Natural Resources

Division of Lands and Minerals

1601 Minnesota Drive

Brainerd, MN 56425

Dan Nickols

Phone: (218) 828-2445

E-mail: Daniel.Nickols@state.mn.us

Official Notices

Minnesota Pollution Control Agency Regional Division

Public Notice of Availability of the Draft Peltier Lake, Centerville Lake and Lino Lakes Chain of Lakes Nutrient TMDL Reports; Proposal for Natural Background Condition Water Quality Standard and Request for Comment.

Public Comment Period Begins:

January 30, 2012

Public Comment Period Ends:

February 29, 2012

The Minnesota Pollution Control Agency (MPCA) is requesting comments on two draft Total Maximum Daily Load (TMDL) reports: 1) Peltier Lake and Centerville Lake TMDL and 2) Lino Lakes Chain of Lakes TMDL (addressing George Watch, Marshan, Reshanau, Rice and Baldwin Lakes). The draft TMDL reports are available for review at www.pca.state.mn.us/water/tmdl/project-peltiercent-nutrients.html. Following the comments, the MPCA will revise the draft TMDL Reports and submit them to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by February 29, 2012.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates allowable loads among those sources. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

All of the lakes and their watersheds are located within the Rice Creek Watershed District jurisdiction in the northern part of the Twin Cities Metropolitan area. The lakes have been placed on the state's impaired waters list because of excess nutrient (phosphorus) levels. While phosphorus is an essential nutrient for algae and plants, it is considered a pollutant when it stimulates excessive growth of algae. The watersheds surrounding these lakes include undeveloped, agricultural and urban land. Phosphorus is conveyed to the lakes via streams, ditches and stormwater pipes throughout the watershed. The most significant source of phosphorus for these lakes appears to internal loading, specifically sediment-phosphorus release, curly-leaf pondweed dieback, and rough fish impacts. The amount of pollutant reduction needed to meet the TMDL varies from lake to lake. The most significant decrease required will be a reduction of approximately 79 to 85 percent for Peltier Lake.

A key part of the study for Peltier Lake included an evaluation of its historic in-lake phosphorus levels through a separate study of the lake sediment. This evaluation led to a proposal outlined in the reports, as allowed under Minnesota Rule pt. 7050.0170, to use a "natural background condition" standard in place of the more stringent state water quality standard. Because Peltier Lake is the primary source of water for other lakes in this study (George Watch, Marshan, Rice and Baldwin Lakes), those lakes also are proposed to use the natural background condition as their lake standard. This proposal specifically calls for total phosphorus, chlorophyll-a and Secchi disk values of 80 micrograms per liter ($\mu\text{g/L}$), 27 $\mu\text{g/L}$, and 0.8 meters, respectively, be used to develop the specified lake TMDLs rather than the existing state water quality standards of 60 $\mu\text{g/L}$, 20 $\mu\text{g/L}$ and 1.0 meters. The appendices of the TMDL reports provide more information and justification for the proposal. The TMDLs for the subject lakes provide allocations for both the state standard and the natural background condition standard. The allocations corresponding to the state standard will apply to the lakes until the point that the EPA approves the natural background condition standard, should they do so. Comments on this proposal to use a natural background condition standard will be considered along with other comments received as part of this public notice.

Process for submitting comments and requests: Written comments and requests must be sent to the MPCA contact person listed below and received by 4:30 p.m. on the date the public comment period ends, identified above.

Chris Zadak
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2837 (direct)
Minnesota Toll Free: 1-800-657-3864
Fax: (651) 297-8676
E-mail: chris.zadak@state.mn.us

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

The administrative procedures vary somewhat for the TMDL and the site-specific standard proposal and are described separately below.

I. Procedures for Submitting Comments and Requests – Draft TMDLs

Preliminary Determination on the Draft TMDL Reports: The MPCA Commissioner has made a preliminary determination to submit these TMDL reports to the EPA for final approval. Draft TMDL reports are available for review at the MPCA office at the address listed below, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Written Comments: You may submit written comments on the conditions of the draft TMDL Reports or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL reports;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Suggested changes will be considered before the final TMDL reports are sent to the EPA for approval.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the draft TMDL report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition

Official Notices

requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending.

You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on these TMDL reports. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL reports.

II. Procedures for Submitting Comments and Requests — Natural Background Condition Standard Proposal

Preliminary Determination on the Proposed Natural Background Condition Standard: The MPCA Commissioner has made a preliminary determination to submit this natural background condition standard for Peltier, George Watch, Marshan, Rice and Baldwin Lakes to the EPA for final approval.

Written Comments: You may submit written comments on the proposed natural background condition standard for the subject lakes or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the proposed natural background condition standard;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the proposed natural background condition standard that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

In addition to submitting comments, a request may be made for either a public informational meeting and/or a MPCA Citizens' Board Information Item.

Request for Public Informational Meeting: A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues. A request for a public informational meeting must include the following:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a public informational meeting; and
3. The issues that you would like the MPCA to address at the public informational meeting.

Request for a MPCA Citizens' Board Information Item request: A request for a MPCA Citizens' Board Information Item must include the following:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a Citizens' Board Information Item; and
3. The issues that you would like the MPCA to address at the Citizens' Board Information Item.

The need for a Public Meeting or an MPCA Citizens' Board Information Item will be considered by the Commissioner. Should the Commissioner determine that a Public Meeting or MPCA Citizens' Board Information is not warranted the requesting party will receive written notification of such.

Minnesota Public Utilities Commission (PUC)**Notice of Filing and Public Comment Period in the Matter of the Application of
Black Oak Wind, LLC and Getty Wind Company, LLC for a Certificate of Need
for an up to 82 MW Large Energy Facility in Stearns County.****Public Utilities Docket No: IP-6853/CN-11-471**

NOTICE IS HEREBY GIVEN that on October 11, 2011 Black Oak, LLC and Getty Wind Company, LLC (the Applicants) filed an application with the Minnesota Public Utilities Commission (Commission) for a certificate of need for an up to 82 megawatt (MW) wind generation project. The project will be located south of Sauk Centre in Ashley and Raymond Townships. The project will consist of between 27 and 52 turbines within the 1.5 to 3.0 MW range and will have an up to 82 MW nameplate capacity.

The proposed wind project is a large energy facility as defined by *Minnesota Statutes* § 216B.2421, Subd. 2 (1) because it is an electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts (50 MW) or more. Therefore, in accordance with *Minnesota Statutes* § 216B.243, subd. 2, the facility cannot be constructed or sited in Minnesota unless the Commission issues a certificate of need to the Applicants.

The certificate of need rules pertaining to the review of this filing are in *Minnesota Rules* Chapter 7849. The Commission accepted the Application as complete as of October 11, 2011. At that time the Commission noted the apparent absence of disputed material facts and ordered an informal review process under *Minnesota Rules* 7829.1200. This order and other documents associated with the need application can be viewed at www.puc.state.mn.us by clicking "Search eDockets" then enter the "year" (11) and the "docket number" (471).

Additionally, the Applicants have filed site permit applications for their respective portions of the project. Each applicants' portion is defined as a Large Wind Energy Conversion System under *Minnesota Statutes* § 216F.04 for siting purposes. Information on the site permit application can be found using the Commission's eDockets system with the following: Docket No. 10-1240 for Black Oak and 11-831 for Getty Wind.

Interested persons are encouraged to provide written comments on whether the proposed project is needed and is in the public interest. The Commission is particularly interested in whether there are any contested issues of fact with respect to the representations made in the application. Initial comments should be filed by **Friday, February 10, 2012**. Reply comments should be filed by **Friday, March 9, 2012**. Comments should be e-filed via the Commission's eDocketing system. All correspondence should reference the Certificate of Need Docket Number (11-471).

Questions about Ellerth's certificate of need application may be directed to Commission staff members Tricia De Bleeckere at (651) 201-2254, e-mail: tricia.debleeckere@state.mn.us or Bret Eknes at (651) 201-2236, e-mail: bret.eknes@state.mn.us.

**Department of Transportation (MnDOT)
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 ("MnDOT") has ordered that the following vendors be suspended for a period of sixty (60) days, effective December 12, 2011 until February 10, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN

Official Notices

- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) 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

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration 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 Funds and Loans

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 \$10.20 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**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Minnesota Department of Corrections (DOC)

Grants and Subsidies Unit

Notice of Availability of Funds for Temporary Housing Projects

The Minnesota Department of Corrections (DOC), Grants and Subsidies Unit announces the availability of funds to provide Temporary Housing Projects for high-risk offenders on intensive supervised release status who have no housing resources upon their release from incarceration and who are under the authority of the commissioner of corrections. The grant will be financed from the funds available through *Minnesota Statute 241.31*.

The amount of funds available is \$367,000 for Fiscal Years 2013 and 2014. The total amount for the biennium is \$734,000. The term of the grant will be the 24-month period beginning July 1, 2012, and ending June 30, 2014. The grants for providing temporary housing projects is available for the Twin Cities Metro and larger out-state urban areas.

Private, for profit and non-profit 501(c)(3) organizations are eligible to apply for these funds. This RFP does not obligate the state to complete the proposed project and the state reserves the right to cancel this solicitation.

All applications are due by noon on Thursday, March 15, 2012.

To receive a copy of the request for proposal that describes in detail how to apply, please contact:

Rubina Khan
Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Phone: (651) 361-7170
E-mail: Rubina.Khan@state.mn.us
TTY: 1-800-627-3529

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 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.

Vendors and Consultants

The state spends \$2-3 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 \$10.20 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:

- **Word Search Capability**
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Minnesota State Colleges and Universities (MnSCU)

Normandale Community College

Request for Proposals (RFP) for Multimedia Upgrade Installations to Science Wing Classrooms

The Minnesota State College and University System through Normandale Community College requests proposals to provide: Multimedia Upgrade Installations To Science Wing Classrooms as detailed in the RFP and its accompanying attachments.

To view and download a copy of the full RFP, please go to the Normandale Community College Web Page at:
www.normandale.edu/rfp/its.

For the purpose of this RFP, this website is the official location for all communications to vendors submitting proposals. **It is recommended that vendors check this website often.**

Normandale Community College will hold a **pre-proposal meeting on Thursday, February 9, 2012** from 9:00 AM CST, in **Room S-2322** to allow vendors the opportunity to see a sample classroom where systems will be upgraded and ask questions. This meeting is the only opportunity to visit this area and though the meeting is not mandatory, not attending could result in an inaccurate response. Minutes of this meeting will be written up and posted on the Normandale Community College Website.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate Normandale Community College to complete the work contemplated in this notice, and Normandale Community College reserves the right to cancel this RFP. All expenses incurred in responding to this notice will be borne by the responder.

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

Steven Wyffels, Instructional Technology Support Supervisor
Normandale Community College
9700 France Avenue South
Bloomington, MN 55431
Telephone: (952) 358-8166
E-mail: steve.wyffels@normandale.edu

Note: RESPONSES WILL BE DUE ON **February 17, 2012 AT 2:00 PM** CENTRAL STANDARD TIME AS INDICATED BY THE DATE AND TIME RECORDED ON EACH RESPONSE PACKAGE BY OUR MAIL ROOM AT:

Minnesota State Colleges and Universities (MnSCU) Minnesota State College Southeast Technical Request for Proposal for Auto Body Equipment

Minnesota State College Southeast Technical is requesting proposals for auto body equipment.

A copy of the Request for Proposal may be obtained by contacting Michael Kroening at MSC Southeast Technical, 1250 Homer Road, Winona, MN 55987; **Phone:** (507) 453-2752.

Proposals must be submitted no later than Thursday, February 16, 2012, 3:00 P.M., CT. All proposals must be sealed and marked "Auto Body Equipment", 1250 Homer Road, Winona, MN 55987.

The college reserves the right to reject any or all proposals, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college.

Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Proposal (RFP) for Rubbish Disposal Contract

Notice is hereby given that Winona State University is seeking proposals for a contract for campus wide rubbish disposal.

Proposal specifications will be available January 30, 2012 by contacting the Purchasing Department at P.O. Box 5838, 205G Somsen Hall, Winona, MN 55987, **e-mail:** dbenz@winona.edu **or by calling:** (507) 457-5069.

A pre-award vendor conference is scheduled for **11:00 AM, February 2, 2012** at Winona State University Somsen 205G, Business Office, Winona, MN 55987. All firms interested in this meeting should contact Deb Benz at (507) 457-5069 or dbenz@winona.edu to sign up to attend this meeting.

Sealed proposals must be received by Deb Benz at Winona State University, PO Box 5838, or at 175 W. Mark St., Somsen205G, Business Office, Winona State University, Winona, MN 55987 by **3:00 PM CST Tuesday, February 14, 2012.**

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

State Contracts

Department of Commerce

Division of Energy Resources

Request for Proposals to Select Qualified Firms to Perform Guaranteed Energy Savings Services

The Division of Energy Resources requests proposals to select qualified firms to perform guaranteed energy savings services.

A Request for Proposals (RFP) and any subsequent addenda will be available for download on the Department's website:

<http://mn.gov/commerce/>

through February 24, 2012. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Department no later than 1:00pm CST on February 24, 2012.

The Request for Proposal can be obtained from:

Preferred Method: *<http://mn.gov/commerce/>*

U.S. Postal Service: Amy Bicek-Skog
Minnesota Department of Commerce
Division of Energy Resources
85 Seventh Place E, Suite 500
Saint Paul, MN 55101

Proposals submitted in response to this RFP must be received no later than 4:00pm CST on February 24, 2012. **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.

Minnesota Historical Society (MHS)

Request for Bids for Exterior Preservation Project at the Washburn Crosby Elevator No. 1 in Minneapolis

The Minnesota Historical Society (the Society) is seeking competitive bids from qualified firms to provide all labor, materials, equipment, and supplies for the exterior preservation project at the Washburn Crosby Elevator No. 1 (the Site) adjacent to the Mill City Museum, which is located at 704 South Second Street in Minneapolis, Hennepin County, Minnesota.

The Scope of Work in this package includes, but is not limited to, the following tasks:

- Demolition of the existing cast-in-place concrete roof over the existing grain bins and replacement with precast planking supported on new structural steel framing;
- Removal of existing built-up roofing and application of waterproof membrane on head house roofs;
- Installation of window and door coverings over existing openings; and
- Selective concrete repairs and cement parge coating application to the exterior of the grain bin walls.

There will be a **MANDATORY** Pre-Bid meeting at the Site for all interested parties on Tuesday, February 14, 2012 at 1:30 p.m. Local Time to review project details. Interested Bidders should meet in the lobby of the Mill City Museum, 704 South Second Street, Minneapolis, MN 55401.

The Request for Bids and other Front-End Documents are available by contacting Mary Green-Toussaint, Purchasing Coordinator, via e-mail at: *mary.green-toussaint@mnhs.org*.

Other bidding documents are available for inspection at the Builders Exchange of St. Paul, the NAMC Plan Room, and the Minneapolis Builders Exchange. Bidders desiring their own complete set of plans and specifications for this project can make out a check to "CPMI" in the amount of \$50.00 per set and mail it to: CPMI, 3265 Northwood Circle, Suite 170, Eagan, MN 55121. Checks will be returned to those bidders who return sets in good condition to CPMI within fourteen (14) days of the deadline for bids.

Bids are due by 2:00 p.m. Local Time, on Thursday, February 23, 2012. Late responses will not be considered.

Dated: 30 January 2012

State Court Administration REQUEST FOR PROPOSALS for OFP Migration Analyst

The State of Minnesota, State Court Administrator's Office, Information Technology Division (State) is using a competitive selection process to select an experienced Analyst to supplement state staff in preparing for the migration of functionality from an in-house custom developed application to a vendor package currently in use in courts across the state. The functionality being migrated applies to a small number of cases, but has a high impact on public safety. This is a request for proposals that could become the basis for negotiations leading to a contract with one or more vendors to provide the supplemental analyst staff as described in this document

Other court personnel are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Questions and answers will be posted by end of day Thursday, February 9, 2012 and will be accessible to other vendors and the public.

Proposal Submission Deadline: **February 10, 2012 - 5:00 PM CST**, with interviews and subsequent selection as soon thereafter as possible.

Richard Gutsche
State Court Administration
IT Division
25 Rev Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
E-mail: *Rich.Gutsche@courts.state.mn.us*

A full request for proposal is available on the Minnesota Supreme Court website: www.mncourts.gov

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.

State Contracts

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) 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
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

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

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.

Minnesota Department of Transportation (MnDOT) REQUEST FOR PROPOSALS (RFP) for Northern Crossroads Public Affairs

Note: This document is available in alternative formats for persons with disabilities by calling Jennifer Faricy, Contract Administrator at (651) 234-7684 or for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

This RFP does not obligate MnDOT to award a Contract or complete the project, and MnDOT reserves the right to cancel the solicitation if it is considered to be in its best interest.

Project Specific Information

Project Overview

MnDOT requests proposals for a Contractor to provide public relations services for a series of MnDOT construction projects located in northern Ramsey County on I-694, TH 35W, and TH 10. Specifically, the projects include I-694/TH 10/ Snelling reconstruction, TH 10/CR 96 interchange, I-35W/Hwy 10 Bridge Replacement, I-35W/ County 96 bridge re-deck, I-35W/Anoka County E2 Bridge Replacement, I-35W/CR H bridge replacement, Hwy 10 resurfacing, and I-694/Lexington Avenue widening. MnDOT anticipates the start of this contract to begin by March 5, 2012.

Project Goal

It is the goal of this project to provide communication services for multiple road construction contracts.

Scope of Work and Deliverables

The selected Contractor will provide a single point of contact for communicating important project information. Duties will include hosting public information events, participating and coordinating with community events, writing press releases and weekly project updates, attending construction meetings, attending public officials meetings, staffing a project hotline and email address, maintaining a database of public contacts, maintaining project website, and being the point person for the public, business, and stakeholders on the project. The Contractor will efficiently provide these services by obtaining information from various construction contractors, MnDOT staff, and others and disseminating combined information from the separate projects in a coordinated fashion.

- 1.0 Public Information Coordinator (PIC)
- 2.0 Telephone Hotline
- 3.0 Electronic Communication
- 4.0 Business/Institutional Outreach
- 5.0 Residential Outreach
- 6.0 Open Houses/Celebrations
- 7.0 Media Relations Questions
- 8.0 Monthly Activity Summary

State Contracts

Questions

Responders who have any questions regarding this RFP must submit questions no later than February 6, 2012 1:00 P.M. Central Time, by e-mail only to:

Jennifer Faricy
E-mail: Jennifer.faricy@state.mn.us

No other MnDOT personnel are allowed to discuss the RFP before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above may result in disqualification.

Proposal Submittal

All proposals must be mailed (United States Postal Service), expressed (UPS, FedEx or other similar express carrier) or dropped off to the attention of:

Jennifer Faricy Contract Administrator
Minnesota Department of Transportation
1500 West County Road B2
Roseville, MN 55113

All proposals must be received no later 1:00 p.m. Central Standard Time on February 13, 2012 as indicated by the time made by the 1st floor receptionist at the Water's Edge Building, 1500 West County Road B-2, Roseville, MN 55113. Late proposals will not be considered. Submit 6 copies of the proposal. Proposals are to be submitted in a sealed mailing envelope or package, clearly marked "Proposal" on the outside. An authorized member of the firm must sign each copy of the proposal in ink.

This is an abbreviated Request for Proposals. The full Request for Proposals (RFP) may be found at the MnDOT Consultant Services web site at: <http://www.dot.state.mn.us/consult/notices.html>

Minnesota Zoo

Request for Proposals from Experienced Environmental Team to Develop a Site Restoration and Management Plan

Request for Proposals from qualified and experienced environmental team to develop a Site Restoration and Management plan for the Minnesota Zoo teams to provide comprehensive Site Management and Restoration plan for immediate use as well as long term use.

Details are included in the complete Request for Proposals which is available by e-mailing Kim Thomas, Minnesota Zoo Horticulture Supervisor at kim.thomas@state.mn.us . The deadline for submitting a proposal is 11:00AM., CST, February 6, 2012.

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

Non-State Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Other Funding

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).

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.

Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Data Center

MAC Contract No.: 106-2-632
Bids Close At: 2:00 p.m. February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project is a new Data Center Building on the MSP Airport Campus.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis-St. Paul International Airport

Notice of Call for Bids for Fuel Farm Fire Protection Improvements

MAC Contract No.: 106-3-456
Bids Close At: 2:00 PM on February 21, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the construction of a fuel foam distribution system and pump house for the MFC Fuel Facility at the Minneapolis-St. Paul International Airport.

Disadvantaged Business Enterprises (DBEs): The goal of the MAC for the utilization of DBEs on this project is 7%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of TKDA, the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport

Notice of Call for Bids for 2012 Folded Plate Drain and Roof Repair

MAC Contract No.: 106-2-655
Bids Close At: 2:00 p.m. February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work of this project includes the removal and replacement of roofing and roofing structures, the replacement of roof drains, patching and repair of roofing, replacement of the existing coping flashing, metal fabrications, steel stairs, concrete coating removal, glazing, high-performance coatings, electrical, and the repair of the concrete roof structure.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 5%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable):

Non-State Public Bids, Contracts & Grants

\$150 Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Terminal 2-Humphrey Curbside Canopy / Monument Repair - Phase 2

MAC Contract No.: 106-3-476
Bids Close At: 2:00 p.m. February 14, 2012

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

This project includes general and electrical construction.

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

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

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

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 30, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

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.)

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- ♦ **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)
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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.

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<i>Subtotal is:</i>	<i>Add:</i>
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\$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 _____

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TOTAL _____

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