

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- Withdrawn Rules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		
	# 8	Monday	12	September	Noon Tuesday	6	September	Noon Wednesday	31
# 9	Monday	19	September	Noon Tuesday	13	September	Noon Wednesday	7	September
# 10	Monday	26	September	Noon Tuesday	20	September	Noon Wednesday	14	September
# 11	Monday	3	October	Noon Tuesday	27	September	Noon Wednesday	21	September

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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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Proposed Rules

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.

Department of Public Safety (DPS)

Division of State Patrol

Proposed Permanent Rules Relating to Pilot/Escort Vehicles Accompanying Oversize Vehicles

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed Rules Governing Training and Certification of Over-Dimensional Load Escort Drivers, *Minnesota Rules*, Chapter 7455.

Introduction. The Department of Public Safety 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. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on October 12, 2011, the Department will hold a public hearing in the State Office Building, Room 200, St. Paul, Minnesota 55155, starting at 9:00 A.M. on Tuesday, November 29, 2011. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after October 12, 2011 and before November 29, 2011.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Lt. Tom Nelson at the Minnesota State Patrol, 3725 12th Street North, St. Cloud, MN 56303, **phone:** (320) 202-6430, **fax:** (320) 654-5395, and **e-mail:** Thomas.J.Nelson@state.mn.us. **TTY** users may call the Minnesota State Patrol at (651) 282-6555.

Subject of Rules and Statutory Authority. The proposed rules are about the training and certification of over-dimensional load escort drivers. The statutory authority to adopt the rules is *Minnesota Statutes*, section 299D.085, subdivision 5 which requires the Department to adopt rules for the training and certification of over dimensional load escort drivers.

A copy of the proposed rules is attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, October 12, 2011, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the

Proposed Rules

due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. 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. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Wednesday, October 12, 2011. You must include your name and address in your written request. In addition, 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 of persons 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/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department 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.

Cancellation of Hearing. The Department will cancel the hearing scheduled for November 29, 2011, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (320) 202-6430 after October 12, 2011 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7845, and **fax:** (651) 361-7936.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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

Proposed Rules

is now available from the agency contact person. You may review 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. Ask any questions about this requirement of 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 Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will 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 rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 23 August 2011

Ramona L. Dohman, Commissioner
Department of Public Safety

7455.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Certified licensed peace officer.** "Certified licensed peace officer" means a law enforcement officer operating an authorized emergency vehicle that can direct and control traffic and require traffic to yield to an overdimensional load.

Subp. 3. **Certified pilot/escort driver (CPED).** "Certified pilot/escort driver (CPED)" means an individual authorized to control and direct traffic as a flagger during the movement of an overdimensional load following the Manual on Uniform Traffic Control Devices (MUTCD) standards as defined by the Federal Highway Administration (FHWA) and adopted by reference under Minnesota Statutes, section 169.06. A certified pilot/escort driver is prohibited from allowing the driver's vehicle to cross the roadway center during traffic direction and shall not control traffic within an intersection controlled by a lighted traffic control device.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety.

Subp. 5. **Department.** "Department" means the Minnesota Department of Public Safety.

Subp. 6. **MUTCD.** "MUTCD" means the Manual on Uniform Traffic Control Devices.

Subp. 7. **Overdimensional load.** "Overdimensional load" has the meaning given in *Minnesota Statutes*, section 299D.085, subdivision 1.

Subp. 8. **Section.** "Section" means the Commercial Vehicle Enforcement Section of the Minnesota State Patrol.

7455.0200 OVERDIMENSIONAL LOAD ESCORT REQUIREMENT.

When escort services are required by law in the movement of an overdimensional load, the services may only be provided by:

A. a certified licensed peace officer; or

B. a certified pilot/escort driver.

Proposed Rules

7455.0300 PILOT/ESCORT DRIVER CERTIFICATION PROCESS.

Subpart 1. **Certification course.** Drivers domiciled in Minnesota shall complete a pilot/escort certification course accepted, approved, or authorized by the department. Upon successful completion of the certification course, drivers must be issued a certification card by a Minnesota-authorized training program.

Subp. 2. **Certification period.** Initial certification is valid for four years from the date of issue. One additional four-year certification may be obtained through a mail-in or online recertification process provided by a Minnesota-authorized training program.

Subp. 3. **Certification reciprocity.** Pilot/escort drivers domiciled outside of Minnesota may operate as a certified pilot/escort driver with another state's certification credential, provided the course meets the minimum requirements outlined in the Pilot/Escort Training Manual - Best Practices Guidelines as endorsed by the Specialized Carriers and Rigging Association, Federal Highway Administration, in cooperation with the Commercial Vehicle Safety Alliance, which is incorporated by reference.

The department may enter into a reciprocal agreement with any other state if that state demonstrates that its course materials are comprehensive and meet the requirements outlined by the department, which must include flagging, height pole operations, insurance, instructor credentials, and auditing of this state's program.

Subp. 4. **Driver's license requirements.** Pilot/escort drivers shall provide a certified and current (within 30 days) driver's license record to the Minnesota-authorized training program at the time of the course.

Subp. 5. **Expiration.** Pilot/escort driver certification expires four years from the date issued. Upon expiration of the certification, an operator must again comply with the department's certification process. It is the responsibility of the driver to maintain certification.

7455.0400 SUSPENSIONS AND REVOCATIONS OF CERTIFICATION.

If the commissioner determines that a pilot/escort driver has committed a disqualifying offense within the previous four years, the commissioner shall deny, suspend, or revoke the driver's certification.

A. Disqualifying offenses are convictions of the following traffic violations during the movement of an overdimensional load: driving under the influence of alcohol or controlled substances, reckless driving, careless driving, excessive speeding (15 miles per hour or more above the posted speed limit), driving left of roadway center, failing to obey a traffic control device, and any other driving violation likely to result in injury.

B. The department shall suspend the certification for a first offense for up to one year. Subsequent offenses may result in the permanent revocation of the convicted driver's certification.

7455.0500 APPEALS PROCESS.

When a driver's certification is denied, suspended, or revoked, the individual may file an appeal. All appeals and hearings must be requested, provided, and conducted pursuant to the Administrative Procedure Act in *Minnesota Statutes*, chapter 14. Appeals must be made in writing and filed with the section commander.

7455.0600 PILOT/ESCORT DRIVER REQUIREMENTS.

Individuals who operate a pilot/escort vehicle must meet the following requirements:

A. must be a minimum of 18 years of age;

B. must possess a valid operator's license for the type of vehicle being operated;

C. must have the issued certification card in the driver's possession at all times while in pilot/escort operations;

D. when operating a vehicle in excess of 10,000 pounds gross vehicle weight or gross vehicle weight rating, must comply with the regulations of the Federal Motor Carrier Safety Administration (FMCSA) in *Code of Federal Regulations*, title 49, parts 300 through 399; and

Proposed Rules

E. if operating as a front or rear pilot car driver, may not perform as a tillerman/steerman for the load being escorted. A tillerman/steerman may not be in the pilot/escort vehicle when a steering activity is being performed.

7455.0700 PILOT/ESCORT VEHICLE REQUIREMENTS.

- A. Vehicles must be in sound and safe operating condition.
- B. Vehicles must be properly licensed and registered based on state of registration.
- C. Vehicles must be a passenger automobile, light duty van, or a two-axle pickup or a two-axle single unit truck.
- D. The minimum wheel base of the vehicle must be 100 inches.
- E. The vehicle must not use equipment designated for use by emergency vehicles.
- F. Vehicles must not carry loads of cargo that reduce the visibility of the driver of the vehicle.
- G. Trailers must not be towed during the movement of the overdimensional load.
- H. A vehicle must not contain a passenger under 16 years of age during the movement of the overdimensional load.

I. A vehicle must contain a two-way simplex communication device with a transmission and receiving range of a minimum of one-half mile. This communication device must be compatible with accompanying pilot/escort vehicles, overdimensional load drivers, law enforcement officers if involved, and utility company vehicles if involved.

J. Vehicles must have identification showing a company name, a federal Department of Transportation (USDOT) identification, or a city, state, and contact number, which must be legible from a distance of 50 feet.

7455.0800 PILOT/ESCORT VEHICLE SIGNING REQUIREMENTS.

Sign requirements on pilot/escort vehicles are as follows:

A. A pilot/escort vehicle must display a “LONG LOAD” or “WIDE LOAD” sign mounted on the top of the vehicle. This sign must be displayed so that it is visible to both overtaking and oncoming traffic at all times during the pilot/escort operation. The sign must be clearly readable and legible at all times of operation. Bumper-mounted signs only are prohibited on the pilot/escort vehicle.

B. The sign must be a rigid mount and (1) be a minimum of five feet in width, (2) have ten inches of vertical visible surface space, and (3) display black letters that are eight inches in height and have a one-inch brush stroke on a solid yellow surface. Solid is defined as when being viewed from the front or rear at a 90-degree angle to the sign, no light can transmit through the solid surface.

C. Red/orange 18-inch flags must be mounted in line with the “Oversize Load” sign and mounted at approximately a 45-degree angle toward the sides of the pilot/escort vehicle.

D. Signs and flags must be removed or covered when pilot/escorts are not providing services.

E. If a route survey is being performed by the pilot/escort, the “Oversize Load” sign must be removed or covered. Route surveys may not be performed while escorting an overdimensional load.

F. A sign, light, or flag may not extend more than six inches beyond the widest part of the body of the pilot/escort vehicle.

7455.0900 PILOT/ESCORT VEHICLE LIGHTING REQUIREMENTS.

A. The pilot/escort vehicle, in addition to any other equipment required by the traffic laws, must be equipped with at least one flashing yellow or amber light. These lights must be mounted on the top of the pilot/escort vehicle and visible for 360 degrees for all traffic. Two types of approved lighting are described as follows:

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(1) Two AAMVA/SAE/USDOT-approved yellow or amber, flashing or oscillating, strobe lights must be used with one mounted on each side of the top-mounted sign. These lights must be visible for 360 degrees, illuminated at all times during operation, and visible from a minimum distance of 500 feet under normal atmospheric conditions.

(2) An AAMVA/SAE/USDOT-approved yellow or amber, flashing or oscillating, strobe beacon light bar must be used, mounted on top of the pilot/escort vehicle. The light bar must have a minimum of two lights within the housing of the light bar. The light bar must be unobstructed and visible for 360 degrees. "AAMVA/SAE/USDOT" refers to the American Association of Motor Vehicle Administrators, the Society of Automotive Engineers, and the United States Department of Transportation.

B. Incandescent, strobe, or diode (LED) lights may be used if they meet the criteria in item A.

C. A light is defined as a single housing.

D. Pilot/escort vehicles must not be equipped with lighting or equipment that is reserved for emergency vehicles.

7455.1000 PILOT/ESCORT VEHICLE SAFETY EQUIPMENT REQUIREMENTS.

Pilot/escort vehicles must be equipped with the following safety items:

A. A minimum of one 18-to-24-inch STOP/SLOW paddle. This sign must be reflectorized for nighttime flagging operations. A 24-inch orange/red flag on a 36-inch staff may be used in an emergency flagging operation only.

B. A hardhat approved by the federal Occupational Safety and Health Administration, for use by the pilot/escort driver.

C. A class 3 safety vest approved by the American National Standards Institute for use during any time the pilot/escort driver is outside the pilot/escort vehicle on any roadway as per current MUTCD standards.

D. One flashlight with a lens width of 1.5 inches with extra batteries or charger. Emergency self-charging flashlights do not meet this requirement.

E. One six-inch-long orange/red cone to fit the flashlight. Traffic wands are an acceptable alternative to the orange/red cone.

F. Nine reflective triangles or reflectorized 18-inch orange traffic cones with a single reflective band of six inches in height.

G. Eight fuses, flares, red glow sticks, or USDOT-approved alternative red-light-producing devices.

H. Three standard 18-inch orange traffic cones.

I. One yellow, vinyl, or mesh "OVERSIZE LOAD" sign, seven feet wide by 18 inches tall with the letter a minimum height of ten inches with a 1.41-inch brush stroke.

J. First aid kit clearly marked and labeled.

K. A height pole, if required as a condition of the overdimensional load permit, which must be nonconductive, nondestructive, flexible, and frangible and installed and in use by the front pilot car at all times when an overdimensional load exceeds 15 feet six inches in height.

L. One ten-pound capacity or two five-pound capacity serviceable fire extinguishers with an ABC rating.

M. One handheld simplex two-way compatible communication device with a minimum transmission and receiving range of one-half mile. This device must be used in a flagging situation where the pilot/escort driver is outside the pilot/escort vehicle.

7455.1100 INSURANCE REQUIREMENTS.

Subpart 1. Coverage for bodily injury and property damage. A driver must possess a current certificate of insurance or endorsement that indicates that the driver, or the driver's employer, has in full force and effect insurance coverage for bodily injury and property damage

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as a result of the operation of the escort vehicle, the escort vehicle operator, or both, causing the bodily injury or property damage arising out of an act or omission by the pilot/escort vehicle operator of the escort duties required by this chapter. The insurance or endorsement must be no less than \$1,000,000 combined single limit or \$1,000,000 per occurrence of commercial liability coverage, as applicable, and must be maintained at all times during the term of the certification. The insurance certificate must indicate on the face of the document that the policy is for the operation of pilot/escort vehicles and for pilot/escort duties and responsibilities as required by this chapter.

Subp. 2. Liability coverage. Pilot/escort vehicles must have a minimum amount of \$1,000,000 liability insurance. This is not a cumulative amount.

7455.1200 CERTIFIED PILOT/ESCORT DUTIES.

A. A pilot/escort vehicle is prohibited from escorting more than one overdimensional vehicle or load at the same time, unless expressly authorized by the commissioner.

B. When the pilot/escort vehicle is in front of the overdimensional vehicle or load being escorted, the operator shall:

(1) warn oncoming traffic of the presence of the vehicle or load by use of lights and signs as provided within this chapter;

(2) notify the driver of the overdimensional vehicle or load by two-way radio of all hazards; overhead clearances; obstructions; traffic congestion; pedestrians; and any other circumstances evident to the operator that could affect either the safe movement of the overdimensional vehicle or load, the safety of the traveling public, or the efficient movement of traffic in sufficient time for the driver of the overdimensional vehicle or load to take remedial action, as necessary;

(3) to the extent necessary, locate safe places, if available, adjacent to the highway and notify the driver of the overdimensional vehicle or load thereof to allow the overdimensional vehicle or load and the pilot/escort vehicles to clear the highway, so that following traffic can safely pass or for any other reason necessary to protect public safety and the efficient movement of traffic; and

(4) be far enough in front of the overdimensional vehicle or load to signal oncoming motorists to stop in a timely manner, before the motorists enter any narrow structures or other restrictions on the highway to permit the safe passage of the vehicle or load.

C. When the pilot/escort vehicle is behind the overdimensional vehicle or load, the pilot/escort driver shall:

(1) warn traffic approaching from the rear of the presence of the overdimensional vehicle or load ahead, by use of lights and signs as provided within this chapter;

(2) notify the driver of the overdimensional vehicle or load by two-way radio of flat tires or other problems with the overdimensional vehicle or load; objects coming loose from the overdimensional vehicle or load; other traffic approaching or passing the overdimensional vehicle or load; and any other circumstances evident to the operator that could affect either the safe movement of the overdimensional vehicle or load, the safety of the traveling public, or the efficient movement of traffic in sufficient time for the driver of the overdimensional vehicle or load to take remedial action, as necessary;

(3) notify the front pilot/escort driver and the driver of the overdimensional vehicle or load by two-way radio of traffic buildup and other delays to the normal flow and efficient movement of traffic caused by the movement of the overdimensional vehicle or load;

(4) notify the driver of the vehicle or load by two-way radio of other vehicles attempting to pass the overdimensional vehicle or load; and

(5) ensure the pilot/escort vehicle is far enough behind the overdimensional vehicle or load to signal motorists following the overdimensional vehicle or load to slow or stop in a timely manner, before narrow structures or other restrictions on the highway, to permit the safe passage of the overdimensional vehicle or load.

D. Traffic lights procedure.

(1) If the front pilot/escort vehicle goes through a traffic light but the overdimensional vehicle or load does not, then the driver of

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the front pilot/escort vehicle shall pull the vehicle over to the right side of the highway, where practicable, to wait for the oversized vehicle or load.

(2) If the oversized vehicle or load goes through the traffic light but the rear pilot/escort vehicle does not, then the oversized vehicle or load must reduce speed until the pilot/escort resumes position behind the load.

(3) Pilot/escort drivers are responsible for all requirements utilizing pilot escorts as directed in this chapter.

7455.1300 PRETRIP COORDINATION MEETING.

Subpart 1. Meeting requirements generally. A pretrip planning and coordination meeting must be conducted as follows:

A. The meeting must be held before load movement. The meeting may be held at the roadside when the required parties come together to organize the trip.

B. The required parties include the drivers carrying or pulling the oversized loads, the pilot escort vehicle drivers, law enforcement officers (if assigned), department personnel (if involved), and public utilities company representatives (if involved).

C. This meeting must include discussion and coordination on the conduct of the move.

D. The permittee or a designated representative shall conduct the meeting.

Subp. 2. Meeting requirements for drivers. In addition, the operator of the oversized vehicle or load and the pilot/escort driver shall comply with the following procedures:

A. Pilot/escort drivers shall ensure that all copies of permit and routing documentation are distributed to all appropriate individuals involved with the permitted load movement.

B. The meeting must also:

(1) coordinate the communication and signals to be used; and

(2) verify or measure the load dimensions, with permitted dimensions verified jointly by the operator of the oversized vehicle or load and the pilot/escort driver.

C. The pilot/escort driver shall provide proof of a valid pilot/escort driver certification and proof of insurance.

D. Drivers and operators shall also:

(1) discuss aspects of the move, including the oversized vehicle or load, the route, and specific responsibilities;

(2) review the permit conditions and distribute copies of the oversized/overweight permit to each pilot/escort driver;

(3) review the permitted route with any specified highway restrictions;

(4) determine the proper position of the pilot/escort vehicles;

(5) check mandatory equipment;

(6) mount signs, adjust mirrors, and turn on lights; and

(7) check each two-way radio to ensure clear communication on a selected channel.

7455.1400 PILOT/ESCORT FLAGGING REQUIREMENTS.

During the movement of an oversized load, the pilot/escort driver, in the performance of the flagging duties required by this

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chapter, may control and direct traffic to stop, slow, or proceed in any situation when deemed necessary to protect the motoring public from the hazards associated with the movement of the overdimensional load. The pilot/escort driver, acting as a flagger, may aid the overdimensional load in the safe movement along the highway designated on the overdimensional load permit and shall:

A. assume the proper flagger position outside the pilot/escort vehicle and, as a minimum standard, have in use the necessary safety equipment as defined in section 6E.1 of the MUTCD;

B. use “STOP” or “SLOW” paddles or a 24-inch red/orange square flag to indicate emergency situations, and other equipment as described in section 6E.1 of the MUTCD; and

C. comply with the flagging procedures and requirements as set forth in the MUTCD and the Department of Transportation Flagger Training Handbook.

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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Official Notices

Department of Human Services (DHS)

Health Care Purchasing and Delivery Systems Division, Health Care Administration

Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

No earlier than September 13, 2011 the Department may add the following outpatient prescribed drugs to the state MAC list:

Drug Name

DISULFIRAM
VEMURAFENIB

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$22,000.00 for State Fiscal Year 2011 (July 1, 2011 through June 30, 2012).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to Pharmacy Program Manager:

Sara Drake R.Ph., Health Services and Medical Management Division
Health Care Administration
Minnesota Department of Human Services
P.O. Box 64984
St. Paul, Minnesota 55164-0984

Department of Human Services (DHS)

Transition to Economic Stability

MFIP Transitional Standard with Supplemental Nutrition Assistance Program (SNAP) Cost of Living (COLA) Adjustment for October 1, 2011

Minnesota Statute 256J.24, Subd. 5a requires the Commissioner of Human Services to adjust the food portion of the Minnesota Family Investment Program (MFIP) transitional standards on October 1 of each year to reflect the COLA to the Supplemental Nutrition Assistance Program (SNAP). The statute also requires the Commissioner to annually publish the adjusted transitional standards for assistance unit sizes one to ten. The transitional standard consists of a cash and food portion. The MFIP transitional standards and cash and food portions effective October 1, 2011 are listed below.

Family Size	1	2	3	4	5	6	7	8	9	10	Over 10
Transitional Standard	\$428	\$764	\$1,005	\$1,223	\$1,399	\$1,609	\$1,755	\$1,941	\$2,126	\$2,305	\$178
Cash Portion	\$250	\$437	\$532	\$621	\$697	\$773	\$850	\$916	\$980	\$1,035	\$53
Food Portion	\$178	\$327	\$473	\$602	\$702	\$836	\$905	\$1,025	\$1,146	\$1,270	\$125

Land Exchange Board

Notice of Meeting of the Land Exchange Board, September 21, 2011

The Land Exchange Board will hold a meeting on September 21, 2011, at 10:00 a.m., in Room 123 of the State Capitol, 75 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN. The purpose of the meeting is to consider a request from the United States Fish and Wildlife Service to approve a fee acquisition of land in Lincoln County.

Minnesota Pollution Control Agency (MPCA)

Regional Division

Public Notice of Availability of the Revised Draft Little Rock Lake Nutrient TMDL Study Report and Request for Comment

Public Comment Period Begins:

September 12, 2011

Public Comment Period Ends:

October 12, 2011

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the revised draft Report for Little Rock Lake Nutrient Total Maximum Daily Load (TMDL). The revised draft TMDL Report for Little Rock Lake Nutrient TMDL is available for review at <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person listed below by 4:30pm on the comment period end date listed above.

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 necessary reductions among them. 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.

Little Rock Lake is located in western Benton County in the North Central Hardwood Forest ecoregion. Land use in the 67,648 acre watershed is predominantly row crops with some woodland, grass/pasture and wetlands. Historically Little Rock Lake resembled more of a wetland, but with the installation of the Sartell Dam in 1911, water levels were raised approximately seven feet creating the shallow lake. Little Rock Lake was placed on the state's impaired waters list because of excess nutrient levels, particularly phosphorus. While phosphorus is an essential nutrient for algae and plants, it is considered a pollutant when it stimulates excessive growth of algae or aquatic plants. The TMDL study assessed the pollutant concentrations and indicated phosphorus will need to be reduced by approximately 56 percent for the Little Rock Lake to meet the water-quality standards during the summer growing season.

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a revised draft of the TMDL Report, and requests for more information should be directed to:

Official Notices

Maggie Leach
Minnesota Pollution Control Agency
7678 College Road, Suite 105
Baxter, MN 56425
Phone: (218) 316-3895
Minnesota Toll Free: 1-800-657-3864
Fax: (218) 828-2594
E-mail: margaret.leach@state.mn.us
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Preliminary determination on the draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this revised TMDL Report to the EPA for final approval. A revised draft TMDL Report is available for review at the MPCA office at the address listed above, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl> for approval.

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

1. A statement of your interest in the revised draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the revised draft TMDL 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.

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 application or revised 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 revised 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 (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 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 revised 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 this revised TMDL Report. 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 revised draft TMDL Report.

Dated: September 2011

Minnesota Public Utilities Commission (PUC) Notice of Filing and Public Comment Period in the Matter of the Application of Ellerth Wind LLC for a Certificate of Need for the 98.9 MW Ellerth Windpark and Associated Facilities Located in Marshall County Public Utilities Docket No: IP-6855/CN-11-112

NOTICE IS HEREBY GIVEN that on May 27, 2011 Ellerth Wind LLC (Ellerth, the Applicant) filed an application with the Minnesota Public Utilities Commission (Commission) for a certificate of need for the Ellerth Windpark. The project will be located west of the town of Newfolden in Marshall County. The project will consist of up to 65 turbines within the 1.5 to 2.3 megawatt (MW) range, up to a 98.8 MW nameplate capacity.

The proposed Ellerth Windpark falls under the definition of "large energy facility" in *Minnesota Statutes* § 216B.2421, subd. 2 (1). 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 Applicant.

The certificate of need rules pertaining to the review of this filing are in *Minnesota Rules* Chapter 7849. In an Order dated August 24, 2011 the Commission accepted the Application as complete as of June 29, 2011. The Commission also 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" (112).

Additionally, Ellerth Wind LLC has filed a site permit application for the project. The Ellerth Windpark is defined as a Large Wind Energy Conversion System under *Minnesota Statutes* § 216F.04 for siting purposes (Docket No. 11-608). Information on the site permit application can be found using eDockets with the following "year" (11) and "docket number" (608).

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, October 21, 2011**. Reply comments should be filed by **Friday, November 18, 2011**. Comments should be efiled via the Commission's eDocketing system and addressed to Burl Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147. All correspondence should reference the Certificate of Need Docket Number (11-112).

Questions about Ellerth's certificate of need application may be directed to: Bret Eknes, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101, **phone:** (651) 201-2236, **e-mail:** bret.eknes@state.mn.us or Tricia DeBleekere at (651) 201-2254, **e-mail:** tricia.debleekere@state.mn.us.

Official Notices

Teachers Retirement Association (TRA)

Notice of Meeting of the Board of Trustees 15 September 2011

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, September 15, 2011 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate by telephone.

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 August 22, 2011 until October 21, 2011:

- 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
- 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 two (2) years, effective January 4, 2010 until January 3, 2012:

- Riley Bros. Companies, Inc. and its affiliates, Morris, MN
- Riley Bros. Construction, Inc. and its affiliates, Morris, MN
- Riley Bros. Properties, LLC, and its affiliates, Morris, MN
- Riley Bros. Utilities, Inc. d/b/a Chris Riley Utilities, Inc. and its affiliates, 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 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 remains ineligible during the period of the seller’s or transfer’s debarment.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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**
- **Updates to Index to Vol. 31**
- **Early delivery, on Friday**
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- **Easy Access to State Register Archives**
- **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 Human Services (DHS) Alcohol and Drug Abuse Division Request for Proposals to Provide Culturally-based Chemical Dependency Early Intervention and/or Recovery Support Services

PURPOSE: The Minnesota Department of Human Services Alcohol and Drug Abuse Division is seeking proposals from qualified responders to provide culturally-based appropriate early intervention and/or recovery support services for African American, American Indian, Hispanic/ Latino, SE Asian, Lesbian Gay Bi-sexual Transgender, multi-cultural and/or other underserved populations. These services should address issues of accessibility and availability of recovery support services, and the importance of culture to the recovery process for individuals, families and communities affected by addiction.

OBJECTIVE: The objective of this RFP is to contract with qualified responders to perform the tasks and services set forth in this RFP. The term of any resulting contract is anticipated to be for an initial two year period – July 1, 2012 through June 30, 2014. An optional extension of two years will be considered based on grantee performance and service outcomes.

The State’s intent of this request for proposals is to encourage diverse communities to respond to needed recovery support services for individuals recovering from addiction and to enhance the existing system of care to meet the needs of diverse communities in the state. The Department of Human Services - ADAD Division is working to address long-standing disparities in the availability and quality of chemical health recovery supports services for underserved communities.

Funds available: \$1,354,000 per year from Federal Substance Abuse Prevention and Treatment Block Grant for two years with a possible extension for another two years pending program progress and outcomes.

NOTE: Services mandated under 256E (detoxification services and chemical use assessments) or funded under 254B (the Consolidated Chemical Dependency Treatment Fund) will not be funded through this RFP.

A complete Request for Proposal and application can be obtained from:

State Grants & Loans

Linda McLaughlin, Grants Assistant
DHS/Alcohol and Drug Abuse Division
Elmer L. Andersen Building
540 Cedar Street
P.O. Box 64977
St. Paul, MN 55164-0977
Phone: (651) 431-3433
E-mail: linda.mclaughlin@state.mn.us

Proposal questions must be addressed to:

Karen Christensen, Principal Planner, at (651) 431-4239; e-mail: Karen.D.Christensen@state.mn.us

The deadline for receipt of proposals is **Wednesday, December 14, 2011** by 4:00 pm Central Standard time. Late proposals will not be considered.

Bidders Conferences will be held at the following dates and locations:

- **Friday, September 30, 2011 10:30 am - Cass County Court House**, 303 Minnesota Ave West, Walker, MN 56484 (Commissioner's Board Room – 1st floor).

- **Wednesday, September 28, 2011 at 2:00 pm at the Minnesota Recovery Connection / Minnesota Recovery Church** – 253 State Street, St. Paul, MN 55107

- **Tuesday, September 27, 2011 at 10:30 am at the Southern Minnesota Recovery Connection Conference Room (lower level Conference Room)**, 220 E. Main Street, Mankato, MN 56001

Minnesota Department of Human Services (DHS)

Health Care Administration

Addendum to Request for Proposals (RFP) to Provide Innovative Forms of Health Care Delivery under Alternative Payment Arrangements to Medical Assistance (MA) and MinnesotaCare Enrollees

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is publishing an Addendum to its request for proposals (RFP) for the purpose of delivering health care services to Medical Assistance (MA) and MinnesotaCare enrollees under alternative payment arrangements through the Health Care Delivery Systems (HCDS) Demonstration that was published in the August 1, 2011 *State Register*. In the Addendum, the Department of Human Services is revising the RFP due date and timeline, providing additional responder Question and Answer sessions, and modifying certain RFP requirements. The revised RFP due date is **November 4, 2011**.

Proposals submitted in response to the RFP in this notice must be sent to:

Request for Proposal Response
Health Care Administration
Attention: Ross Owen – 0984
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, November 4, 2011**. **Late proposals will NOT be considered**. Fax or e-mailed proposals will **NOT** be considered.

State Grants & Loans

The text of the RFP Addendum can be viewed by visiting the Department of Human Services RFP website no later than 12 noon on Wednesday, September 14, 2011 at http://www.dhs.state.mn.us/main/id_000102.

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

State Contracts

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

Solicitations for Consultants and Vendors

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 \$13.60 each 1/10 of a page, you cannot go wrong.

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

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State Contracts

Department of Administration (Admin)

Real Estate & Construction Services

Notice of Request for Qualifications (RFQ) for a Construction Manager at Risk for the Upgrade of Shantz Hall, St. Peter, MN

RECS Project #: 55419SRX

NOTICE IS HEREBY GIVEN that the Department of Administration, Real Estate and Construction Services (“State”) has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the for the Preconstruction and Construction Services for the Upgrade of Shantz Hall (aka Shantz Hall Building Preservation) project located at the St. Peter Regional Treatment Center in St. Peter, MN in accordance with *Minnesota Statute* 16C.34.

This project is a phased plan to preserve, renovate and upgrade Shantz Hall on the St. Peter Regional Treatment Center Campus in St. Peter, MN, to provide secure beds and program space for the Minnesota Sex Offender Program (MSOP). The project scope will include: the replacement of existing constant volume multi-zone air handling, heating, ventilating and air conditioning equipment and it’s retrofitted undersized cooling capacity, update and expand the existing fire protection (sprinkler) system to include the entire building. Update the fire alarm system and interface it with the campus system, replace the existing galvanized plumbing systems which are failing, upgrade the electrical distribution panels, install new energy efficient lighting, install new energy efficient windows and remodel some areas to enhance the operational program. Other considerations may include interior finishes, door replacement and modifications to the exterior security fencing to accommodate construction and for operational considerations. The emphasis is to sequence the entire construction phase to accommodate the replacement of the HVAC, plumbing, electrical systems, and provide the necessary living unit remodeling, while keeping the facility fully operational and secure.

The Responses for this RFQ are due on **October 4, 2011 at 1:00 PM Central Time**.

Detailed tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) which can be found at *QuestCDN.com* under the Category “*Public Buildings*” with the Project Name “*CM@Risk Shantz Hall RFQ*” and may be downloaded for a fee of \$10.00. To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ.

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

Department of Administration (Admin)

Minnesota State Colleges and Universities (MnSCU)

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Iron Range Engineering Program Addition and Renovation

State Designer Selection Board Project No. 11-10

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Northeast Higher Education District, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website, <http://www.finance.mnscu.edu/facilities/index.html>.

click on “Announcements.” An informational meeting is scheduled for 10:30 AM, Thursday September 15, 2011 in the Theatre, at Mesabi Range Community and Technical College, 1001 Chestnut Street West, Virginia, MN 55792. All firms interested in this meeting should contact Karen Kedrowski , at (218) 748-2418 or kkedrowski@nhed.edu to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Sherry Van Horn, Executive Secretary, State Designer Selection Board, 200 Department of Administration, Real Estate and Construction Service, Administration Building, Room 309, 50 Sherburne Ave., St. Paul, MN 55155 (651) 201-2376) not later than 12:00 noon, September 26, 2011. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration (Admin) Minnesota State Colleges and Universities (MnSCU) Notice of Availability of Request for Proposal (RFP) for Designer Selection for Science Education Center State Designer Selection Board Project No. 11-11

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Metropolitan State University, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website,
<http://www.finance.mnscu.edu/facilities/index.html>,

click on "Announcements." An informational meeting is scheduled for 9:30 AM, Friday, September 16, 2011 in Founders Hall Auditorium, on the Metropolitan State University, 700 East 7th Street, St. Paul, MN 55106-5000. Parking is available in the large pay parking lot on Maria Avenue, between 6th and 7th Street. All firms interested in this meeting should contact Dan Hambrock, at (651) 793-1712 or *Daniel.hambrock@metrostate.edu* to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Sherry van Horn, Executive Secretary, State Designer Selection Board, 200 Department of Administration, Real Estate and Construction Service, Administration Building, Room 309, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2376) not later than 12:00 noon, September 26, 2011. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU) Anoka-Ramsey Community College Request Proposals for Printing and Mail Preparation for the Mass Mailed Newsletter

NOTICE IS HEARBY GIVEN that Anoka-Ramsey Community College will receive proposals for printing and preparing for mail its mass mailed newsletter. Complete specifications are available on the Web site *<http://www.anokaramsey.edu/IT/proposal.cfm>*. Copies of complete specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or *mirela.gluhic@anokaramsey.edu*. Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 3:00 p.m. on Sept. 29 1, 2011. Bid openings will be in the Mississippi Room of Anoka-Ramsey Community College at 3:30 p.m. on Sept. 29 1, 2011. Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

Request for Proposals

Request proposals for printing and mail preparation for the bi-annual, mass mailed, college newsletter.

State Contracts

Anoka-Ramsey Community College is asking proposals for printing and preparing for mail three issues of its bi-annual newsletter; one October 27, 2011; one March 1, 2012; and the third June 22, 2012. Dates are estimates and specifications are subject to change.

Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd. Coon Rapids, MN 55433 by 3:00 p.m. on Sept. 29 1, 2011.

Bid openings will be in the Mississippi Room of Anoka-Ramsey Community College at 3:30 p.m. on Sept. 29, 2011. Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

Specifications for OCTOBER and JUNE issues are below. Specifications for MARCH Issue are the same EXCEPT there are 16 pages (NOT 32)

NAME Anoka-Ramsey Community College tri-annual mass mailer
QUANTITY 300M
PRODUCT 32-Pages (16-pages March issue only)
FINISHED SIZE 6" wide x 10.25" high
IMAGEAREA 6.5" wide x 9.75" high
PAPER Cover 50# Vellum Offset (or better); Text 35# bright newsprint **AND** Cover – 70# Enamel; Text – 50# Offset.
COLOR 4 color on all pages with medium ink coverage. Bleeds
PREPARATION Customer to furnish final, digital files; printer handles mailing and delivers overrun to Coon Rapids Campus

Minnesota Historical Society (MHS)

Notice of Request for Proposals for an Archaeological Excavation at the Ayer House, Mille Lacs Indian Museum, Mille Lacs County, Minnesota

The Minnesota Historical Society (Society) seeks a qualified consultant to accomplish the following tasks: conduct an archaeological excavation; process artifacts; complete an analysis; and prepare a final report in connection with drainage improvements at the Ayer House on the Mille Lacs Indian Museum property.

The Mille Lacs Indian Museum is located on the west shore of Lake Mille Lacs, about 10 miles north of Onamia, Minnesota. Standing structures on the property include the museum property, constructed in 1994, the historic Mille Lacs Trading Post, a residence constructed by Harry and Jeannette Ayer in 1941, and several smaller outbuildings. The property was donated to the Society by the Ayers in 1959. The Mille Lacs Indian Museum property is within the Kathio National Historic Landmark District. One of these archaeological properties, the Indian School Site (21-ML-6), is located within the boundaries of the property administered by the Society.

Proposals must be received by the Society no later than 2:00 p.m. Local Time, Thursday, September 29, 2011. **Late proposals will not be considered.**

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

Dated: 12 September 2011

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

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

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

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website (www.dot.state.mn.us/consult) 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.

State Contracts

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's Bookstore

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

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

Also Available:

<i>Connected to our Roots</i>	Stock Number: 13924	\$10.95
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<i>Education Directory</i>	Stock Number: 73	\$26.95
<i>Freshwater Mussels of MN</i>	Stock Number: 344	\$9.95
<i>Minnesota State Coloring Book</i>	Stock Number: 13810	\$1.95
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Order Online at www.minnesotasbookstore.com

Minnesota's Bookstore

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- **Minnesota's Indian Mounds and Burial Sites:** A Synthesis of Prehistoric and Early Historic Archaeological Data, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch** - The Essential Guide to Our Night Sky, \$24.95
- **Minnesota's State Capitol** - The Arts and Politics of a Public Building, \$16.95
- **A Birders's Guide to Minnesota**, by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul** - 150 Years of History, \$49.95
- **Minnesota Guidebook to State Agency Services** - Owners manual for Minnesotans, \$14.95

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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)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

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

Stock No.	Title	Quantity	Unit Price	Total

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

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
<small>*\$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.</small>	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

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

TOTAL _____

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