

# Minnesota State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

**Monday 30 November 2015**

**Volume 40, Number 22**

**Pages 615 - 638**

# Minnesota State Register

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

The *Minnesota 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. It 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- Withdrawn Rules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. 40 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)			Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts			Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)		
# 23	Monday	7	December	Noon Tuesday	1	December	Noon WEDNESDAY	25	November
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# 25	Monday	21	December	Noon Tuesday	15	December	Noon Thursday	10	December
# 26	Monday	28	December	Noon Tuesday	22	December	Noon Thursday	17	December

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by Plant Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available on-line at website: <http://www.comm.media.state.mn.us/bookstore/mnbookstore>

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State Capitol, Room 231, St. Paul, MN 55155  
**Website:** [www.senate.mn](http://www.senate.mn)

**House Public Information Services** (651) 296-2146  
State Office Building, Room 175,  
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155  
**Website:** [www.house.leg.state.mn.us/hinfo/hinfo.htm](http://www.house.leg.state.mn.us/hinfo/hinfo.htm)

## Minnesota State Court System

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## Federal Register

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Contract information is available from the Materials Management (MMD)  
Helpline (651) 296-2600, or Web site: [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

For additional contracts go to:

<http://www.mmd.admin.state.mn.us/solicitations.htm>

For additional grants go to the Office of Grants Management (OGM) at:

<http://www.grants.state.mn.us/public/>

Statewide Integrated Financial Tools (SWIFT) Supplier Portal:

<http://supplier.swift.state.mn.us>

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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. TTY relay service phone number: (800) 627-3529

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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.

## Minnesota Department of Commerce (COMM)

### Proposed Permanent Rules Governing Securities; Regulating MNvest Offerings

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### Proposed Amendment to Rules Governing MNvest Securities Regulation, *Minnesota Rules*, chapter 2876; Revisor's ID Number RD 4344

**Introduction.** The Department of Commerce 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 December 31, 2015.

**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 Susan Bergh at the Minnesota Department of Commerce, 85 7<sup>th</sup> Place East, Suite 500, St. Paul, Minnesota 55101, phone: (651) 539-1456, e mail to: [rules.commerce@state.mn.us](mailto:rules.commerce@state.mn.us). Consumers with hearing or speech disabilities may contact the Department of Commerce via their preferred Telecommunications Relay Service.

**Subject of Rules and Statutory Authority.** The proposed modifications to the rules are intended to facilitate public investment in Minnesota businesses while protecting Minnesota investors from fraud, identity theft, and misuse of their investments, through rule requirements for advertising, cybersecurity, records retention, and data privacy. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 80A.82 (a)(1) and 45.023. 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 December 31, 2015, 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.



# Proposed Rules

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Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on December 31, 2015. 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, the Department can make this Notice available in an alternative format, such as large print, Braille, or cassette tape. 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 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, or obtain copies at 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 651-539-1180 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:

Mike Rothman, Commissioner  
Commerce Department

## **2876.1000 DEFINITIONS.**

Subpart 1. **General terms and scope.** The terms used in this chapter that are not defined in this part have the meanings given them in *Minnesota Statutes*, chapter 80A.

Subp. 2. **Control person.** For purposes of this chapter, “control person” means a partner, officer, director, or manager, but does not include a person whose primary duties are ministerial or clerical.

## **2876.3050 MNVEST NOTICE FILING.**

Subpart 1. **Form and submission.** A notice filing made pursuant to *Minnesota Statutes*, section 80A.461, subdivision 3, clause (11), must be filed on the MNvest notice form, available on the Department of Commerce Web site or upon request from the administrator, not less than ten days before the beginning of the MNvest offering. The MNvest notice form must be mailed or delivered electronically to the administrator, along with the appropriate fee, at the address listed on the MNvest notice form. Information provided on or with the MNvest notice form must include the following:

A. the name and contact information of the MNvest issuer making the filing;

B. identifying information for the MNvest portal through which the MNvest issuer’s securities are to be offered, including an

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# Proposed Rules

indication as to whether the MNvest issuer has registered, or intends to register, as a portal operator;

C. the minimum offering amount to be raised through the MNvest offering, and a written explanation of how the minimum offering amount will be used to implement the MNvest issuer's business plan;

D. the name and contact information of the escrow agent holding purchasers' payments pursuant to *Minnesota Statutes*, section 80A.461, subdivision 3, clause (8);

E. a written affirmation that the MNvest issuer has exercised reasonable care to confirm that it is not disqualified from making the MNvest offering under *Minnesota Statutes*, section 80A.461, subdivision 9;

F. a copy of a disclosure document including all information required under *Minnesota Statutes*, section 80A.461, subdivision 4;

G. a copy of a representative example of advertising used to promote the MNvest offering or solicit prospective purchasers;

H. a copy of the MNvest issuer's balance sheet and income statement made available to prospective purchasers pursuant to *Minnesota Statutes*, section 80A.461, subdivision 3, clause (4); and

I. any other information the administrator may reasonably require to determine the MNvest issuer's compliance with *Minnesota Statutes*, section 80A.461.

Subp. 2. **Fees.** Notice filing fee payments made pursuant to *Minnesota Statutes*, section 80A.461, subdivision 3, clause (11), item (iii), are nonrefundable. Fee payments must be made payable to the Department of Commerce.

Subp. 3. **Incomplete filings.** A notice filing that does not contain all information required by this part and by *Minnesota Statutes*, section 80A.461, subdivision 3, clause (11), or that does not include a correct fee payment, is incomplete and ineffective.

Subp. 4. **Effective period.** Except while a stop order is in effect under *Minnesota Statutes*, section 80A.48, paragraph (a), a complete notice filing made for purposes of *Minnesota Statutes*, section 80A.461, subdivision 3, clause (11), automatically becomes effective ten days after receipt by the administrator and remains effective for one year following the date of effectiveness.

Subp. 5. **Post effective amendments.**

A. After a MNvest notice filing has become effective, and while the MNvest offering is still in progress, the MNvest issuer must amend or supplement the information required by subpart 1 as necessary so that the MNvest issuer does not make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made, in light of the circumstances under which it is made, not misleading.

B. A copy of the amended documents required by item A as changed, revised, or supplemented and clearly marked to show changes from the previously filed version must be filed with the administrator not more than ten days after the amendment occurs. No additional fee is required for amendment filings made under this subpart.

C. If amendments are made to the disclosure document required under *Minnesota Statutes*, section 80A.461, subdivision 3, clause (11), item (ii), the MNvest issuer must direct the portal operator facilitating the MNvest offering to:

(1) make the amended disclosure document available to all prospective purchasers in the MNvest offering; and

(2) deliver the amended disclosure document to all purchasers who have already invested in the MNvest offering.

## **2876.3051 ESCROW AND IMPOUNDMENT.**

A MNvest issuer must comply with the escrow requirements found in *Minnesota Statutes*, section 80A.461, subdivision 3, clause (8). The escrow and impoundment of funds is subject to the following:

A. All funds from purchasers of a MNvest offering must be deposited in the depository impound account controlled by the escrow agent within three business days after receipt by the MNvest issuer.

B. All purchaser funds must remain in escrow until the earliest of the following:

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(1) the total amount deposited with the escrow agent reaches at least the minimum offering amount set by the MNvest issuer;

(2) twelve months have expired from the effective date of the MNvest offering without the minimum offering amount having been deposited with the escrow agent; or

(3) the MNvest offering reaches the stipulated expiration date set by the MNvest issuer pursuant to *Minnesota Statutes*, section 80A.461, subdivision 4, clause (2), without the minimum offering amount having been deposited with the escrow agent.

C. If the MNvest issuer does not raise the minimum offering amount by the earlier of 12 months from the effective date of the MNvest offering or the stipulated expiration date, the MNvest issuer must immediately notify the escrow agent that funds received from each purchaser and held in escrow for the MNvest offering must be refunded in full to the purchasers.

D. When the minimum offering amount for a MNvest offering is deposited with the escrow agent, the MNvest issuer must issue securities to purchasers of the MNvest offering within five days of the MNvest issuer's receipt of funds released from escrow for the MNvest offering.

## **2876.3052 RECORDS RETENTION REQUIREMENTS FOR MNVEST ISSUERS.**

MNvest issuers must retain records related to MNvest offerings made pursuant to *Minnesota Statutes*, section 80A.461, for five years after the close of the MNvest offering. Retained records must include a copy of the following:

A. the MNvest notice form and accompanying documents filed with the administrator as part of the MNvest issuer's initial notice filing, and any subsequently amended MNvest notice forms and documents filed with the administrator;

B. records of all purchaser payments deposited into the escrow impound account, including information on when the payments were either released to the MNvest issuer or refunded to the purchaser;

C. records of all written communications sent to or received from purchasers in a MNvest offering while the offering is ongoing;

D. all agreements and compensation arrangements made between the MNvest issuer and the portal operator through which the MNvest issuer's securities are offered;

E. all escrow agreements between the escrow agent, the MNvest issuer, and, if applicable, the portal operator through which the MNvest issuer's securities are offered; and

F. all records used to establish compliance with *Minnesota Statutes*, section 80A.461, subdivision 9.

## **2876.3053 PORTAL OPERATOR REGISTRATION.**

Subpart 1. **Form and submission.** A portal operator registration application made pursuant to *Minnesota Statutes*, section 80A.461, must be filed on a MNvest portal operator registration form, available on the Department of Commerce Web site or upon request from the administrator. The portal operator registration form must be mailed or delivered electronically to the administrator, along with the appropriate fee, at the address listed on the MNvest portal operator registration form. Information provided on or with the MNvest portal operator registration form must include, at minimum, the following:

A. the names, contact information, and titles of all control persons of the portal operator;

B. the Web addresses of the MNvest portal;

C. documentation meeting the requirements of *Minnesota Statutes*, section 80A.461, subdivision 7, paragraph (a), clause (2);

D. information as to whether the portal operator is, or intends to be, a MNvest issuer;

E. information as to whether control persons of the MNvest portal are agents, representatives, or control persons of another portal operator, a broker-dealer, or an investment adviser and, if applicable, the names and Central Registration Depository (CRD) or Investment Adviser Registration Depository (IARD) numbers of each portal operator, broker-dealer, or investment adviser so associated with each control person of the MNvest portal;



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## Proposed Rules

F. a written explanation of the portal operator's use of a third party's software program or other services in developing, operating, or maintaining the MNvest portal;

G. a written explanation of the steps taken by the portal operator to verify the Minnesota residency of individuals purchasing securities through the MNvest portal pursuant to *Minnesota Statutes*, section 80A.461, subdivision 6, clause (3), item (i);

H. a written explanation as to how the portal operator calculates and collects fees pursuant to *Minnesota Statutes*, section 80A.461, subdivision 7, paragraph (c), clause (3); and

I. any other information the administrator may reasonably require to determine the portal operator's compliance with *Minnesota Statutes*, section 80A.461.

Subp. 2. **Fees.** A person filing a MNvest registration form with the department shall include a nonrefundable \$200 fee, made payable to the Department of Commerce. A MNvest registration form submitted to the department without the correct fee payment will not be reviewed by the department, and will remain ineffective and incomplete until the correct fee is submitted.

Subp. 3. **Effectiveness of registration.** A portal operator registration does not become effective until the administrator has declared the registration effective.

Subp. 4. **Incomplete applications.** A portal operator registration application that does not contain all information required by this part and by *Minnesota Statutes*, section 80A.461, subdivision 7, paragraph (a), or that does not include a correct fee payment, is incomplete. A registration application that remains incomplete 45 days after the administrator notifies the applicant of the reason for incompleteness is deemed denied effective on the 46th day after the administrator's notification.

Subp. 5. **Post effective amendments.**

A. After a portal operator registration has been declared effective, the portal operator shall amend or supplement the MNvest registration form to contain further material information, if any, necessary to make the information in the MNvest registration form not misleading or incorrect.

B. A copy of the MNvest registration form as changed, revised, or supplemented and clearly marked to show changes from the previously filed version must be filed with the administrator.

Subp. 6. **Registration renewal.** To renew a portal operator registration, the portal operator must submit a MNvest portal operator registration form marked to indicate it is an application for renewal, along with the fee required by *Minnesota Statutes*, section 80A.461, subdivision 7, paragraph (b), to the administrator at least 15 days prior to the expiration of the portal operator's registration. Unless an order is in effect under *Minnesota Statutes*, section 80A.67, a complete application for renewal of a portal operator registration automatically becomes effective 16 days after the administrator receives the renewal application, or immediately upon the expiration of the portal operator's existing registration, whichever occurs later.

Subp. 7. **Sales report.** The portal operator must provide to the administrator upon request a final sales report of an offering or offerings completed through the portal. A sales report must contain, at a minimum, the total amount raised through the offerings; the number of investors that purchased securities through the offerings; and whether, if funds were held in escrow, the funds were released to the MNvest issuer.

### **2876.3054 REPORTING REQUIREMENTS.**

Subpart 1. **Offerings reports.** MNvest issuers and portal operators must provide to the administrator upon request a report of a MNvest offering or MNvest offerings occurring or completed in reliance on *Minnesota Statutes*, section 80A.461. The report must be provided to the administrator within 30 days of the administrator's request, or at a sooner date specified by the administrator.

Subp. 2. **Contents of issuer reports.** Reports requested from MNvest issuers pursuant to this part must contain:

A. the minimum offering amount set by the MNvest issuer for a MNvest offering;

B. the total amount of money raised through the MNvest offering;

# Proposed Rules

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C. the name and address of each purchaser involved in the MNvest offering;

D. the amount of money raised from each individual purchaser in the MNvest offering; and

E. confirmation as to whether and when purchasers' funds held in escrow for the MNvest offering were released to the MNvest issuer or returned to purchasers.

**Subp. 3. Contents of portal operator reports.** Reports requested from portal operators pursuant to this part must contain, for each MNvest offering conducted through the MNvest portal in the requested period:

A. all of the information required in subpart 2, items A to D; and

B. the date the portal operator received from each purchaser the certification required under Minnesota Statutes, section 80A.461, subdivision 5.

## **2876.3055 PROTECTION OF PURCHASER INFORMATION.**

### **Subpart 1. Cybersecurity policy.**

A. Portal operators and MNvest issuers must take reasonable steps to ensure that purchasers' financial and personal information is properly secured. Reasonable steps include, at a minimum, the development and implementation of a written cybersecurity policy that outlines the MNvest issuer's or portal operator's policies and procedures for preventing and responding to cybersecurity attacks and data breaches resulting in the disclosure or potential disclosure of purchasers' confidential or personally identifiable information.

B. The cybersecurity policy required in item A must specifically include the MNvest issuer's or portal operator's procedures to establish compliance with *Minnesota Statutes*, section 325E.61.

C. MNvest issuers and portal operators must publish the cybersecurity policy required by this subpart on the portal operator's or MNvest issuer's Web site, with a prominent link to the cybersecurity policy on the Web site's homepage.

**Subp. 2. Reporting of a cybersecurity attack or data breach.** MNvest issuers and portal operators must report to the administrator any action taken by the MNvest issuer or portal operator to meet the reporting requirements of *Minnesota Statutes*, section 325E.61.

A. The report sent to the administrator must not include any confidential or personally identifiable information of those individuals whose data were improperly accessed or acquired, unless the information is requested by the administrator. The report must include:

(1) a general description of the type of data that were accessed or acquired;

(2) the number of individuals whose data were improperly accessed or acquired; and

(3) a description of the steps taken by the MNvest issuer or portal operator to notify the individuals whose data were improperly accessed or acquired.

B. The report must be mailed or sent electronically to the administrator within 60 days of the MNvest issuer's or portal operator's discovery of the cybersecurity attack or data breach.

## **2876.3056 LIMITS ON AVAILABILITY.**

*Minnesota Statutes*, section 80A.461, is not available for the following types of offerings:

A. offerings involving petroleum exploration or production, mining, or other extractive industries;

B. offerings relating to investments in virtual, digital, or crypto currencies;

C. offerings conducted concurrently through multiple MNvest portals;

D. offerings involving an investment company as defined and classified under Section 4 of the Investment Company Act of 1940; and

E. offerings in which it is proposed to issue stock or other equity interest in an entity that has not yet defined its business operations, has no business plan, has no stated investment goal for the funds being raised, or plans to engage in a merger or acquisition with

an unspecified business entity.

### **2876.3057 RESTRICTIONS ON RESALE.**

Securities offered under *Minnesota Statutes*, section 80A.461, have not been registered under federal or state securities laws and, therefore, cannot be resold unless the securities are registered or qualified for an exemption from registration under federal and state law. In addition, MNvest issuers shall make the disclosures required by *Code of Federal Regulations*, title 17, section 230.147(f).

### **2876.3058 INVESTOR RIGHT OF CANCELLATION.**

In an offering conducted under *Minnesota Statutes*, section 80A.461, an investor may cancel an investment commitment for any reason until such time as the target minimum offering amount identified in the MNvest notice form corresponding with the offering and filed with the administrator has been raised.

### **2876.3059 ANTIFRAUD PROVISION.**

*Minnesota Statutes*, section 80A.461, and parts 2876.3050 to 2876.3060 do not exempt any person, including control persons and employees of MNvest issuers and portal operators, from the antifraud provisions of *Minnesota Statutes*, section 80A.68, and do not provide relief from any other provisions of the Minnesota Securities Act or *Minnesota Statutes*, chapter 45, other than as expressly stated.

### **2876.3060 RESTRICTIONS ON USE OF THE TERM “MNVEST.”**

Subpart 1. **Web site addresses.** The word “MNvest” must not be used in an Internet URL address or domain name:

A. owned by a portal operator or MNvest issuer; or

B. that automatically redirects a prospective purchaser to a MNvest portal. In addition, no MNvest portal shall hold itself out as being the “official” MNvest portal, the “only” MNvest portal, or otherwise describe itself using words of similar import, as determined by the administrator.

Subp. 2. **Misrepresentations regarding recommendations or endorsements.** A person shall not make any representation, or use any device, title, descriptive name, or identifier that has the tendency or capacity to confuse or mislead a Minnesota resident to believe that a MNvest issuer, MNvest offering, or MNvest portal is endorsed, sponsored, sanctioned, or recommended by MNvest.

# Commissioners Orders

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

## Minnesota Department of Natural Resources (DNR)

### Commissioner's Order #2 ML 2015: Amend Walleye and Northern Pike Limits to Make Adjustments to Manage Fisheries in the 1837 Ceded Territory (Mille Lacs)

**Date:** November 30, 2015  
**Statutory authority:** *Minnesota Statutes*, section 97C.005, subd. 3  
**Supersedes:** Commissioners Order #1 ML 2015: Amend Walleye Limits to Make Adjustments to Manage Fisheries in the 1837 Ceded Territory (Mille Lacs) as published in the July 27, 2015 *State Register*, and Expedited Emergency Game and Fish Rule 6264.0400, subp. 4, item E, referring to the possession and size limits for walleye and northern pike: Mille Lacs Lake Fishing as published in the May 4 and 11, 2015, *State Register*

#### BACKGROUND

Each year a harvestable surplus is set for walleye in Mille Lacs Lake pursuant to the procedures set forth in the 1996 Stipulated Settlement and Federal Consent Decree adopted by the Minnesota Federal District Court in 1997 and affirmed by the U.S. Supreme Court in 1999. The harvest surplus is the volume of fish that can safely be harvested from Mille Lacs Lake while ensuring sufficient remaining walleye in the lake for a healthy fishery. The harvest surplus is then divided between the state of Minnesota and the eight Chippewa Tribal Bands. The state of Minnesota approached its annual harvest limit for the 2015 fishing season (December 1, 2014, through November 30, 2015) and the state walleye fishery was closed on August 3, 2015.

The 2016 winter Mille Lacs fishing season begins on December 1, 2015 and extends through February 28, 2016. Results of recent fisheries surveys, reviewed by both state and tribal biologists, indicate that the Mille Lacs walleye fishery can be reopened to provide for an ice fishery. The state's share of the harvestable walleye surplus is 5,000 pounds and state angler harvest must not exceed 5,000 pounds during the ice fishery.

The decision to reopen the walleye fishery was made in consultation with the Mille Lacs Lake Fisheries Advisory Committee and informed by recent fisheries survey information. The Mille Lacs Lake Fisheries Advisory Committee also recommended that the Department of Natural Resources reduce the northern pike bag limit to prevent potential overharvest of this species. Department of Natural Resources staff will assess Mille Lacs Lake creel data every two weeks throughout the ice fishing season to inform future management decisions.

#### ORDER

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including *Minnesota Statutes*, section 97C.005, subdivision 3, that the applicable fishing limits as applied to Mille Lacs Lake are amended as follows:

1. From December 1, 2015, at 12:01 a.m., through February 28, 2016, at 11:59 p.m., the possession limit for walleye is one, and walleye in possession must be:
  - a. equal to or more than 18 inches in length and equal to or less than 20 inches in length; or
  - b. equal to or longer than 28 inches in length.
2. From December 1, 2015, at 12:01 a.m., through March 27, 2016, at 11:59 p.m., the possession limit for northern pike is five. A person may possess one northern pike equal to or more than 30 inches in length provided that at least two northern pike less than 30 inches in length taken on the same day from Mille Lacs Lake are in immediate possession, and taken by the same person, before a person may possess a northern pike equal to or more than 30 inches in length. Party fishing rules do not apply when possessing a northern pike more than 30 inches in length.

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## Commissioner's Orders

3. If the department's angler creel survey results indicate that state harvest will likely exceed 5,000 pounds, a catch-and-release season for walleye will be implemented and extend through February 28, 2016. The Department of Natural Resources will provide public notice of a walleye fishing catch-and-release season on Mille Lacs Lake by issuing a statewide news release and posting information on the Department of Natural Resources' website at least 24 hours before initiating a catch-and-release season.

Dated: November 17, 2015

Tom Landwehr, Commissioner  
Department of Natural Resources

### Official Notices

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

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

## Minnesota Higher Education Facilities Authority (MHEFA) Notice of Public Hearing on Revenue Obligations on Behalf of the College of Saint Benedict

NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, December 16, 2015, at 2:00 p.m., by the Minnesota Higher Education Facilities Authority (the "Authority"), at its offices at Suite 450, 380 Jackson Street, Saint Paul, Minnesota, with respect to the proposal to issue revenue obligations on behalf of the College of Saint Benedict (the "College"), as owner and operator of the College of St. Benedict.

Under the proposal, the Authority would issue revenue bonds or other obligations in the maximum principal amount of \$43,700,000 to finance a project generally described as (i) the purchase and renovation of three buildings to be used for administrative functions; (ii) renovation and improvements to the following existing buildings: Henrita Academic Building, Richarda Hall, the Main Building, Clemens Library, Aurora Hall, Regina Hall, Corona Hall, Ardolf Science Center, Lottie Hall, Murray Hall, Benedicta Art Center, Claire Lynch Hall and Haehn Campus Center; (iii) upgrades and improvements to the power plant; (iv) constructing and equipping the College Avenue sports fields and renovations to the existing tennis courts; (v) replacement of a well; and (vi) replacement of the south entry road (collectively, the "Project"). The Project will be owned and operated by the College and located on its main campus, the principal street address of which is 37 South College Avenue, St. Joseph, 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.

Dated: November 30, 2015

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



## Official Notices

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### Minnesota Housing Finance Agency (MHFA)

#### Notice of Hearing on Bond Issuance for 161-unit Hopkins Village

**NOTICE IS HEREBY GIVEN** that the Minnesota Housing Finance Agency will hold a public hearing at 9:30 a.m. on Thursday, December 17, 2015, at its offices at 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purpose of taking public comment regarding the issuance of its tax-exempt bonds in one or more series issued on one or more dates in the maximum respective principal amount set forth below, including a plan of finance therefor. The Bonds are proposed to be issued to fund one or more mortgage loans to pay for all or a portion of the costs of acquisition, rehabilitation and equipping of the following development, including facilities related and subordinate thereto, for residential rental housing.

A 161-unit single building multi-story multifamily housing development currently known as Hopkins Village, located at 9<sup>th</sup> Avenue South, Hopkins, MN 55343, proposed to be acquired and rehabilitated by Hopkins Village Limited Partnership, a Minnesota limited partnership, or an affiliate thereof or successor thereto, as its initial owner, operator or manager; one of the managing partners of which will be CHDC Hopkins Village GP LLC, a Minnesota limited liability company, or another entity affiliated with Community Housing Development Corporation, Minneapolis, Minnesota. The maximum principal amount of the Bonds for this development is \$10,000,000.

Additional information may be obtained from the Minnesota Housing Finance Agency, Attn: Dan Walsh (651-296-3797). Parties wishing to comment on the issuance of the Bonds may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing.

Dated: 30 November 2015

Mary Tingerthal, Commissioner  
Minnesota Housing Finance Agency

### Minnesota Department of Labor and Industry (DLI)

#### Labor Standards Unit

#### Notice of Correction to Highway Heavy Prevailing Wage Rates for Power Equipment Operators

Corrections have been made to the Highway Heavy Prevailing Wage Rates certified 10/12/2015 for:

**Power Equipment Operators, Group 2**, (Labor Codes 302-308) in Regions 5 & 8.

Copies with the corrected certified wage rates for these Counties and Regions may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road N., St. Paul, MN 55155-4306, or by calling (651) 284-5091, or accessing our web site at: [www.dli.mn.gov](http://www.dli.mn.gov).

Ken B. Peterson, Commissioner  
Department of Labor and Industry

### Minnesota Board of Examiners for Nursing Home Administrators

#### REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Nursing Home Administrators, *Minnesota Rules*, Chapter 6400; Revisor's ID Number R-04366

**Subject of Rules.** The Minnesota Board of Examiners for Nursing Home Administrators requests comments on its possible amendment to rules relating to changes in education and experience requirements for licensure, changes in the application process, and updating obsolete and/or inapplicable terminology.

**Persons Affected.** The amendment of the rules will directly affect nursing home administrators and applicants in the State of Minnesota and may less directly affect individuals and entities who employ, educate, and receive services from nursing home administra-

tors.

**Statutory Authority.** *Minnesota Statutes*, sections 144A.20, 144A.21, 144A.23, 144A.24, and 214.06 authorize the board to adopt rules necessary to administer and enforce sections 144A.04 to 144A.28 and to set forth procedures and information required for renewal.

**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 board 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.

**Rules Drafts.** The board has prepared a draft of the possible rules.

**Agency Contact Person.** Written comments, questions, and requests for more information on these possible rules should be directed to:

Randy Snyder, Executive Director  
Minnesota Board of Examiners for Nursing Home Administrators  
2829 University Avenue S.E., Suite 404  
Minneapolis, MN 55414  
**Phone:** (651) 201-2730  
**E-mail:** [randy.snyder@state.mn.us](mailto:randy.snyder@state.mn.us)  
**TTY** users may call the Board at 1-800-627-3529

**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: 17 November 2015

Randy Snyder, Executive Director  
Minnesota Board of Examiners for  
Nursing Home Administrators

## Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees 16 December 2015

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, December 16, 2015 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.

## Minnesota Department of Transportation (Mn/DOT) Notice to Bidders: Suspensions/Debarments as of January 12, 2015

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN

# Official Notices

- Watab Hauling Co. and its affiliates, Rice, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective September 17, 2014 until September 17, 2017:

- Jeffrey Plzak and his affiliates, Loretto, MN
- Laurie Plzak and her affiliates, Loretto, MN
- Honda Electric Incorporated and its affiliates, Loretto, MN
- Jeffrey and Laurie Plzak doing business as Honda Electric Logistics, and its affiliates, Loretto, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective January 12, 2015 until January 12, 2018:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, 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 Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

**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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

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

## Minnesota Department of Administration (Admin) Notice of Contract Opportunity for MMCAP REGIONAL BUSINESS CONSULTANT

**DETAILS:** The Minnesota Department of Administration, Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for the purpose of establishing contracts with Regional Business Consultants to provide account management services to our members in regions across the United States.

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## State Contracts

MMCAP requires the services of a contractor(s) who will serve as a Regional Business Consultant, and will perform tasks related to sustaining and developing customer relationships of assigned MMCAP members within the geographic territory they propose to cover. MMCAP would anticipate dividing the U.S. into 5 to 8 regions, including East, Southeast, South, Midwest and Northwest. Most states are MMCAP members, and the few that are not would be potential members. It is expected that meetings with members and prospective members will be largely face-to-face requiring the Contractor to travel extensively. MMCAP reserves the right to make multiple awards to responding individual consultants, consultant staffing firms, or a combination of both. Respondents should indicate which defined geographic area they are proposing to cover and should indicate full time or part time commitment.

The Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is a group purchasing organization operated by the State of Minnesota serving government-authorized healthcare facilities. (For detailed information visit: [www.mmcap.org](http://www.mmcap.org) .) The goal of MMCAP is to provide member organizations the combined purchasing power to receive the best prices available for pharmaceuticals, medical supplies, and related products.

Work is anticipated to start after June 1, 2016.

**COPY REQUEST:** To get a copy of the Request for Proposals, please send a written request, by email, to:

Carolyn O'Donnell  
MMCAP Marketing and National Field Service Manager  
**E-mail:** [Carolyn.ODonnell@state.mn.us](mailto:Carolyn.ODonnell@state.mn.us)

**PROPOSAL DEADLINE:** Proposals submitted in response to the Request for Proposals in this advertisement must be received by email no later than February 18, 2016, 2:00 pm Central Time.

**Late proposals will NOT be considered.**

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

## Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Notice of Availability of Request for Proposals (RFP) for Admissions and Academic Advising Constituent Relationship Management (CRM) System

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Rochester Community is soliciting proposals from interested, qualified firms for the above referenced project.

To receive a Request for Proposal, please send an email to [june.meitzner@rctc.edu](mailto:june.meitzner@rctc.edu).

Proposals from interested firms must be delivered to June Meitzner, Purchasing Manager, Rochester Community and Technical College, 851 - 30<sup>th</sup> Avenue SE, Room SS153, Rochester, MN 55904-4999, no later than 2:00 pm, Wednesday, December 23, 2015. **Late responses will NOT be considered.**

Minnesota State Colleges and Universities and Rochester Community and Technical College are not obligated to complete the proposed project and reserve the right to cancel the solicitation if it is considered to be in its best interest.

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU)

### System Office - Human Resources Division

#### Request for Proposals for Recordkeeper for MnSCU's Defined Contribution Retirement (DCR) and Tax-Sheltered Annuity (TSA) Programs

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to select a provider to act as a recordkeeper for the 401(a) Defined Contribution Retirement (DCR) program, and the 403(b) Tax Sheltered Annuity (TSA) program of the Minnesota State Colleges and Universities. The Plans cover approximately 21,500 active participants in a system of 31 public colleges and universities with 54 campuses in 47 communities throughout the state of Minnesota.

For a copy of the full Request for Proposals, please visit [http://www.hr.mnscu.edu/request\\_for\\_rfps/index.html](http://www.hr.mnscu.edu/request_for_rfps/index.html) or contact:

Craig C. Harris  
Aon Hewitt  
1100 Reynolds Blvd  
Winston-Salem, NC 27105  
Telephone: (336) 728-2462  
**E-mail:** [craig.c.harris5@aonhewitt.com](mailto:craig.c.harris5@aonhewitt.com)

Sealed proposals must be received according the instructions appearing in the Request for Proposal no later than **Monday, December 7, at 5:00 p.m. CT**. Fax and e-mail responses will **NOT** be considered. **Proposals received after this date and time will be returned to the responder unopened.**

This RFP does not obligate the Minnesota State Colleges and Universities (MnSCU) system, its Board of Trustees or the System Office to award a contract or complete the proposed project. The Minnesota State Colleges and Universities (MnSCU) system, its Board of Trustees or the System Office and each reserves the right to cancel this RFP if it is considered to be in its best interest.

## Minnesota Sports Facilities Authority (MSFA)

### ADVERTISEMENT FOR PROPOSALS for Broadcast Infrastructure

**1. Proposals** - Submit proposals for Minnesota Sports Facilities Authority – Broadcast Infrastructure – US Bank Stadium Technology; Minneapolis, Minnesota, to Steve Maki, MSFA, at the MSFA office on or before 4:00 p.m., December 22, 2015.

**2. Work Includes** – Fiber and Copper Broadcast Infrastructure cabling for U.S. Bank Stadium.

**3. Obtaining & Examining Documents** – Documents will be available for review, at the office of the MSFA, 511 - 11<sup>th</sup> Ave. South, Suite 401, Minneapolis, MN and on the website, MSFA.com after November 20, 2015.

**4. Affirmative Action** - All proposers, applicants, prime contractors and prospective subcontractors will be subject to a pre-award compliance review to ensure the employment of minorities, women and disabled person.

The Minnesota Sports Facilities Authority reserves the right to reject any and all proposals and to waive any informalities in any proposals received without explanation.

Ms Michele Helgen, Chair  
Minnesota Sports Facilities Authority



**Minnesota 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 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

**Minnesota Department of Transportation (Mn/DOT)****Engineering Services Division****Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices**

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

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

## Non-State Public 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

### Goodhue County

#### Notice of Request for Proposals to Purchase Land & Build a Campground

**NOTIC IS HEREBY GIVEN** that Goodhue County is soliciting Request for Proposals (RFP) for the Purchase of County Property Adjacent to the County's Lake Byllesby Park for the Construction and Operation of a Campground.

Sealed proposals will be received by the Goodhue County Administrator at his office (Room 309) in the Goodhue County Government Center, 509 W 5<sup>th</sup> St., Red Wing, Minnesota, 55066 until 4:00 p.m. on Monday, February 1<sup>st</sup>, 2016.

Question regarding the RFP can be directed to: Greg Isakson, County Engineer, at: (651) 385-3025

Interested parties can view the full ad and the RFP on the County website: [www.co.goodhue.mn.us](http://www.co.goodhue.mn.us)

BY ORDER OF THE GOODHUE COUNTY  
BOARD OF COMMISSIONERS  
Scott Arneson, Goodhue County Administrator

### Metropolitan Airports Commission (MAC)

#### Minneapolis-St Paul International Airport

#### Notice of Call for Bids for 2016 Concessions Program Q2

**MAC Contract No:**

**106-2-805**

**Bids Close At:**

**2:00 p.m. on Tuesday, December 15, 2015**

**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 will provide temporary enclosure for spaces noted. Provide, bring utilities to new lease, hold spaces as noted. Remove and reinstall ceilings to install \*runs of utilities.

**NOTE:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB 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 Alliance, at the Minnesota Builders

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## Non-State Public Bids, Contracts & Grants

Exchange; Dodge Data and Analytics; 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: 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 November 23, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

### Metropolitan Airports Commission (MAC) Minneapolis-St. Paul International Airport Notice of Call for Bids for 2016 Emergency Power Upgrades (P7)

**MAC Contract No:**

**106-2-779**

**Bids Close At:**

**2:00 p.m. on Tuesday, December 15, 2015**

**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 indicate. The work includes installing emergency power distribution boards on F Concourse to aid in the separation of emergency (life safety) and optional critical power loads. The work also includes replacement of (2) ATS's with close transition/isolation bypass switches. In addition, work includes additional emergency power circuits for restroom lighting, emergency power for air handling unit and pumps on C Concourse, and additional emergency power provisions near the dock area on C Concourse. The work also includes the relocation of storm water piping as well as the removal of two mop sink faucets, all associated piping, and the dedicated water heaters. There will be a door/frame/hardware replacement, a new access panel, and new gyp bd walls installed. Lastly, the project includes three add alternates that include additional emergency power circuits for restroom lighting, additional fiber installation for the generator network system, and the installation of (2) close transition/isolation bypass switches.

Note: You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB 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 Alliance, at the Minnesota Builders Exchange; Dodge Data and Analytics; 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: 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 November 23, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

# Non-State Public Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC)

### Minneapolis-St. Paul International Airport

#### Notice of Call for Bids for Terminal 1-Lindbergh Parking Expansion Northwest Drive Grade Separation

MAC Contract No.:

106-3-522

Bids Close At:

2:00 p.m., Tuesday, December 22, 2015

**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 roadway reconstruction, bridge and retaining wall construction, building modifications, and utility, duct bank, lighting, and fiber optic installation at the Minneapolis-St. Paul International Airport.

**NOTE:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

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

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

**Project Labor Agreement:** This project will be subject to the MAC's Project Labor Agreement requirements. A Project Labor Agreement and Contract Riders are currently being finalized and upon completion may be examined at the office of the Metropolitan Airports Commission.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc.; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Kimley-Horn and Associates, Inc.; 2550 University Avenue West; Suite 238N; St. Paul, MN 55114. Make checks payable to Kimley-Horn and Associates, Inc. Deposit per set (refundable): \$200. 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 November 30, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (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.) **FREE PARKING**

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

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

Order Online at: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)

## A Subscription Gets You the Earliest Delivery Giving You a Jump on Bid Preparation

A subscription to the *STATE REGISTER* gets you the EARLIEST DELIVERY. Instead of waiting until Monday at 8:00 am when the magazine is posted on our website, we'll SEND you the magazine on Friday at close of business with the State, 4:30 pm: 2-1/2 days early.

Yes, that's right -- 2-1/2 days ahead of normal publication schedule -- to get to know what's coming in the next week; to prepare your plans for your submissions to grant and loan programs and RFPs, RFIs and other contracts and bids.

Subscriptions for an entire year cost \$180. The magazine is SENT TO YOU, as well as ONE OTHER PERSON YOU DESIGNATE, in case of vacations, or illnesses, or other absences in your office . . . and you won't have to access our website or click, click, click to find us.

Subscriptions include the most up-to-date information, including a growing index to issues in each volume, issue by issue, including the current volume, which others do not have access to until the end of the volume year.

And a subscription gets you our current listing of all OPEN bids, contracts, grants, loans, and RFPs that are still open for bid, so you don't have to hunt through each back issue to find something.

Try a subscription for one year and see if it is worth your investment. We think you'll be glad you did.



# Minnesota's Bookstore

## Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 3 p.m. Monday - Friday, 660 Olive Street, St. Paul
  - ♦ **Phone** (credit cards): 8 a.m. - 4 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:** 711
  - ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)
  - ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155
- Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.**

**PREPAYMENT REQUIRED.** Prices and availability subject to change. **Fax and phone orders** require credit card.

Please allow 1-2 weeks for delivery. For **mail orders**, complete order blank and send to address above.

Enclose payment - for security reasons, we do not recommend mailing credit card information.

Please allow 2-3 weeks for delivery.

Please make checks payable to "Minnesota's Bookstore."

A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

<b>Company:</b>		
<b>Name:</b>		
<b>Street Address:</b> (Not deliverable to P.O. boxes)		
<b>City:</b>	<b>State:</b>	<b>Zip:</b>
<b>Daytime phone:</b> (   ) (In case we have a question about your order - please include area code)		

For security reasons, we recommend that you call to place a credit card order.

<b>Credit card number:</b>	
<b>Expiration date:</b>	<b>3- or 4- digit security code:</b> (found on back of card)
<b>Signature:</b>	

### Shipping Charges

<i>If Product Subtotal is:</i>	<i>Please 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-\$500.00	\$ 17.00
\$500.01-\$1,000	\$ 22.00*
* \$22 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** \_\_\_\_\_

(see chart at left)

**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# \_\_\_\_\_

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September 2015