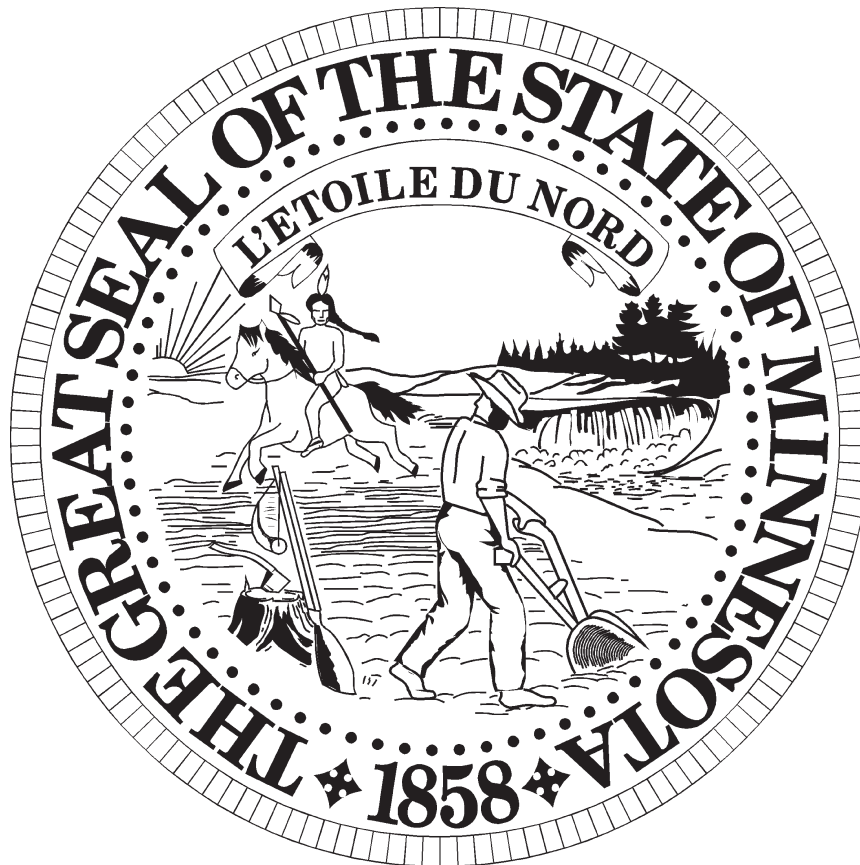


# Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 and Grants**

**Monday 4 April 2016  
Volume 40, Number 40  
Pages 1323 - 1354**

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- Withdrawn Rules

### 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)
# 41	Monday 11 April	Noon Tuesday 5 April	Noon Thursday 17 March
# 42	Monday 18 April	Noon Tuesday 12 April	Noon Thursday 24 March
# 43	Monday 25 April	Noon Tuesday 19 April	Noon Thursday 31 March
# 44	Monday 2 May	Noon Tuesday 26 April	Noon Thursday 7 April

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MN Judicial Center, Rm. 135,  
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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 §§ 14.1414.20, 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 Department of Labor and Industry Division of Occupational Safety and Health Proposed Permanent Rules Relating to OSHA Citation Notification Requirements

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

**Proposed Permanent Rules Relating to OSHA Citation Notification Requirements, Minnesota Rules Part 5210.0530;  
Revisor's ID Number RD4336**

**Introduction.** The Department of Labor and Industry 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 Wednesday, May 4, 2016.

**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: Patricia Munkel-Olson at MN Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, (651) 284-5006, fax (651) 284-5725 or [dli.rules@state.mn.us](mailto:dli.rules@state.mn.us).

**Subject of Rules and Statutory Authority.** The Commissioner of the Department of Labor and Industry proposes to amend a rule regulating the citation notification requirements. Specifically, the proposed amendment will permit Minnesota Department of Labor and Industry, Division of Occupational Safety and Health (MNOSHA) to send the complainant in a complaint inspection a copy of a citation. The statutory authority to adopt the rules is *Minnesota Statutes*, section 182.657. 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 Wednesday, May 4, 2016, to submit written comment in support of or in opposition



# Proposed Rules

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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. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by **4:30 p.m. on Wednesday, May 4, 2016**. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

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

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

Ken B. Peterson  
Commissioner

**Department of Labor and Industry**

## **Proposed Permanent Rules Relating to OSHA Citation Notification Requirements**

### **5210.0530 CITATIONS; POSTING.**

Subpart 1. **Issuance.** The commissioner shall review the investigation report of the investigator. If on the basis of the report the commissioner believes that the employer has violated a requirement of *Minnesota Statutes*, section 182.653, or any standard, rule, or order adopted under the act, the commissioner shall issue to the employer either a citation and notification of penalty or a notification of failure to abate. A copy of the citation and notification of penalty or notification of failure to abate shall also be mailed to:

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# Proposed Rules

A. the authorized employee representative and, in the case of the death of an employee, to the next of kin if requested by the next of kin; and

B. the complainant in a complaint inspection.

A citation and notification of penalty or notification of failure to abate shall be issued even though, after being informed of an alleged violation by the investigator, the employer immediately abates or initiates steps to abate the alleged violation. A citation and notification of penalty or notification of failure to abate shall be issued with reasonable promptness and in no event later than six months following the completion of the investigation of the alleged violation.

*[For text of subs 2 to 5, see M.R.]*

## Adopted Rules

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

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

## Minnesota Public Utilities Commission

### Adopted Permanent Rules Governing Utility Proceeding, Practice, Procedure

The rules proposed and published at State Register, Volume 39, Number 50, pages 1706-1717, June 15, 2015 (39 SR 1706), are adopted with the following modifications:

#### 7829.0100 DEFINITIONS.

Subp. 11a. **Motion filing.** "Motion filing" means a written request for specific commission action by a party within the context of an ~~ongoing proceeding existing commission docket~~. This does not include recommendations for action made in comments, or in motions made during a proceeding before an administrative law judge.

#### 7829.0400 SERVICE AND FILING REQUIREMENTS.

Subpart 1. **Filing.** Filings must be made in a manner consistent with the filing requirements of Minnesota Statutes, section 216.17, subdivision 3, and must be directed to the attention of the executive secretary. ~~If otherwise required to file electronically under Minnesota Statutes, section 216.17, subdivision 3, a person may file by facsimile transmission, mail, or personal delivery only~~ With the prior consent of the executive secretary, a person may file by facsimile transmission, mail, or personal delivery.

Subp. 4. **Format.** Filings must identify the nature of the filing as briefly as possible, for example, "Replies to Exceptions to Report of Administrative Law Judge," and indicate that the matter is before the Minnesota Public Utilities Commission. Filings after the original filing must include the title and commission-assigned docket number of the matter. Paper filings must be on 8-1/2 by 11-inch paper, unless the executive secretary authorizes a nonconforming filing for good cause shown. Electronic filings must be submitted in a text-searchable format, and any scanned documents must include optical character recognition data. Filings made pursuant to parts 7810.8620, 7810.8685, and 7825.3900, as well as schedules provided pursuant to Minnesota Statutes, section 216B.16, subdivision 17, paragraph (a), shall also include the required data in an industry standard spreadsheet format supported by the ~~agencies'~~ electronic filing system.

Subp. 5. **Service; method.** Service may be accomplished by first class mail, by delivery in person, or electronically upon recipients who have agreed to electronic service as provided in Minnesota Statutes, section 216.17, subdivision 4, unless otherwise provided by law or commission order. ~~Service may also be accomplished by facsimile transmission, followed by first class mail.~~

# Adopted Rules

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Subp. 5a. **Service and filing; completion.** A document filed with the commission must be served the same day on the persons listed on the appropriate service list, except when this chapter permits service of a summary of the filing. Unless the executive secretary directs otherwise for specific documents, electronic service is complete upon receipt of confirmation of submission of the document. If the electronic filing system administrator requires that a document be resubmitted, electronic service is complete only upon receipt of a subsequent confirmation of submission. Filings are filed with the commission when received in the commission offices during regular business hours. Service by mail or facsimile transmission plus mail is complete upon mailing, except service upon the department, which is complete upon receipt by the department. When a party or participant is represented by an attorney, service upon the attorney is considered service upon the party or participant.

## 7829.0410 MOTION FILINGS.

Subpart 1. **Form and content.** A party to a proceeding making a motion filing shall make it in writing, state the grounds for the motion, and set forth the requested commission action. A party shall file and serve a motion filing on the persons listed on the official service list and file it consistent with the electronic filing requirements of Minnesota Statutes, section 216.17, subdivision 3. ~~A party shall~~ As a part of a motion filing, a party shall advise other parties that if they wish any opposition to oppose the motion they must file be filed and serve served on the same list of persons ~~a written response~~ within 14 days of service of the motion filing. The commission will consider only motion filings signed by a party or the party's attorney or authorized representative.

Subp. 2. **Responses.** A party responding to a motion filing shall file and serve a response on the persons listed on the official service list and file it consistent with the electronic filing requirements of Minnesota Statutes, section 216.17, subdivision 3, within 14 days of service of the motion filing.

## 7829.0430 WITHDRAWAL OF FILINGS.

Subpart 1. **Uncontested withdrawal.** The commission delegates to the executive secretary authority to approve the withdrawal of a filing. Approval will be granted by the executive secretary if the following conditions are met:

A. the party that submitted the filing has requested that the filing be withdrawn and has served notice on the persons listed on the official service list;

B. no person has expressed opposition to withdrawal of the filing within 14 days of service of the notice; and

Subp. 2. **Contested withdrawal.** If any person opposes a withdrawal request within 14 days of service of the notice, the commission will allow a filing to be withdrawn at the request of the filing party if the commission determines that the proposed withdrawal:

## 7829.0700 OFFICIAL SERVICE LIST.

Subp. 2. **Establishment and updating.** The commission shall establish the official service list at the conclusion of the initial comment period, or immediately following an initial filing for which no initial comment period is required, and shall maintain and provide the list electronically. Upon request, the commission shall mail a copy of the list to the parties and to participants who have filed written requests for inclusion. A list established before commission action on a petition for intervention must include those persons whose intervention petitions are pending. Upon request, the commission shall mail an updated official service list to the parties and participants if the official service list is later expanded or reduced. The commission need not mail the official service list in proceedings when the only parties are the department and a petitioner, complainant, or respondent. The commission shall provide the official service list electronically rather than by mail to a party who has agreed to electronic service as provided in Minnesota Statutes, section 216.17, subdivision 4.

## 7829.1050 UNCONTESTED PROCEEDING SUBCOMMITTEE.

Subpart 1. **Delegation of uncontested proceedings.** As authorized by Minnesota Statutes, section 216A.03, subdivision 8, the commission may establish by order a subcommittee to act on uncontested proceedings. The subcommittee will act on behalf of the commission only when:

B. no party, participant, or commissioner has requested that the proceeding not be delegated to a subcommittee.

The commission will maintain on its Web site a list of all proceedings delegated under this subpart, and will indicate the



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# Adopted Rules

subcommittee's disposition for each proceeding. Electronic filing Service of an order reflecting disposition by the subcommittee constitutes receipt by the parties, participants, and commissioners for the purposes of Minnesota Statutes, section 216A.03, subdivision 8, paragraph (b).

Subp. 2. **Other subcommittees.** This part does not limit the circumstances under which the commission may delegate other functions to a subcommittee.

## 7829.1300 MISCELLANEOUS FILINGS.

Subp. 2. **Service.** The filing utility party shall serve copies of each miscellaneous filing on which commission action is required within 60 days of filing, on the persons on the applicable general service list, on the department, and on the Office of the Attorney General. For other filings, the utility filing party may serve the summary described in subpart 1 on persons on the applicable general service list. The utility filing party shall serve with the filing or the summary a copy of its general service list for the filing.

Subp. 3. **Content of filing.** In addition to complying with specific requirements imposed by statute or rule, miscellaneous filings must contain at least the following information:

B. the name, address, electronic address, and telephone number of the any attorney for that represents the filing party in the matter, if the filing party is so represented by an attorney;

Subp. 6. **Compliance filings.** Unless otherwise ordered by the commission, utilities shall file a compliance filing within ten days of the effective date of a commission order requiring it.

## 7829.1400 COMMISSION ACTION ON MISCELLANEOUS FILING; COMMENTS.

Subp. 9. **Requests for contested case proceedings.** Upon receipt of initial comments requesting a contested case proceeding on a miscellaneous filing, the commission shall immediately set the matter for consideration on a date after the time period for reply comments has run. If the commission finds a contested case proceeding is required, the commission shall refer the matter to the Office of Administrative Hearings pursuant to part 7829.1000, and the utility shall file its direct testimony in question and answer form within 20 days of the commission's notice and order for hearing, unless otherwise directed by the commission.

## 7829.2700 PROCEDURE AFTER ADMINISTRATIVE LAW JUDGE REPORT.

Subpart 1. **Exceptions to administrative law judge's report.** Except in cases subject to statutory deadlines or as otherwise specified by the commission, parties shall file and serve on the other parties any exceptions to an administrative law judge's report within 20 days of its filing unless otherwise specified by the commission. In cases subject to statutory deadlines, exceptions must be filed and served within 15 days of the filing of the report.

## 7829.2900 DECISION AND ORDER.

Subpart 1. **Service.** The executive secretary shall serve a decision and order of the commission on all parties and participants in the proceeding who are on the official service list.

Subp. 2. **Compliance filings.** Unless otherwise ordered by the commission, utilities shall file a compliance filing within ten days of the effective date of a commission order requiring it.

# 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

### Commissioner's Order 16-01

#### Wildlife Lake Designation of Beaulieu Lake, Mahnomen County

**Date:** April 4, 2016

**Statutory authority:** *Minnesota Statutes*, section 97A.101, subd. 1, 2, and 3.

#### BACKGROUND

The Department met the statutory requirements to designate Beaulieu Lake as a Wildlife Management Lake under authority in Minnesota Statute, section 97A.101 as follows:

1. A public hearing was held for Beaulieu Lake in Mahnomen County at the Bejou Community Center, 525 S. Main St., Bejou, MN in Mahnomen County at 6:30 p.m.
2. A legal notice announcing the hearing for Beaulieu Lake was published in a local legal newspaper, The Mahnomen Pioneer on November 26<sup>th</sup>, 2015.
3. Notice of proposed bait harvest restrictions was sent to all licensed bait trappers within a 20 mile radius of Beaulieu Lake.

#### ORDER

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including *Minnesota Statutes*, section 97A.101, subdivisions 1, 2, and 3 that Beaulieu Lake (DOW#44024200) T146N, R41W, Section 10 is designated for the purposes of wildlife management and the taking of minnows is prohibited.

**Tom Landwehr**  
Commissioner

# 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 Pollution Control Agency

### Environmental Analysis and Outcomes Division

#### Public Notice of Proposed State Implementation Plan Revision

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Pollution Control Agency (MPCA) has determined that a State Implementation Plan (SIP) revision must be submitted to meet Minnesota's requirements under sections 110(a)(2)(D)(i)(I), 128, and 110(a)(2)(E)(ii) of the Clean Air Act (the Act). The draft SIP revision is now available for public comment.

**Background.** Section 110(a)(2)(D)(i)(I), or "Good Neighbor Provision," of the Act requires that states address the interstate

transport of pollutants and ensure that they do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state. This portion of the SIP submittal addresses Minnesota's good neighbor obligations for the 2008 ozone National Ambient Air Quality Standards (NAAQS).

Section 128(a)(1) of the Act mandates that members of boards governing state agencies that implement the Act represent the public interest. Section 128(a)(2) of the Act requires that any board governing state agencies or head of such an agency adequately disclose any potential conflict of interest. Section 110(a)(2)(E)(ii) of the Act requires that states demonstrate compliance with Section 128 as part of their Infrastructure SIP. The U.S. Environmental Protection Agency (EPA) requested that the MPCA demonstrate that its rules and statutes fulfill those requirements. This portion of the SIP submittal addresses the 2010 sulfur dioxide (SO<sub>2</sub>), 2010 nitrogen dioxide (NO<sub>2</sub>), 2008 ozone, 2012 particulate matter of less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), 2006 PM<sub>2.5</sub>, 2008 lead (Pb), 1997 ozone, and 1997 PM<sub>2.5</sub> NAAQS.

**Purpose of the SIP revision.** The purpose of this SIP revision is to fulfill Minnesota's responsibility under the Act to demonstrate its compliance with the sections cited above.

Recent EPA modeling demonstrates that Minnesota does not contribute significantly to any projected downwind nonattainment or maintenance area air quality problems; therefore, no further controls or emission limits are required to fulfill Minnesota's responsibilities under the Good Neighbor Provisions for the 2008 ozone NAAQS.

Minnesota has no board or body which approves permits or enforcement orders in relation to the Clean Air Act; therefore, no additional rules or statutes need to be submitted to fulfill the requirements of section 128(a)(1) of the Act. Minnesota believes its current rules and statutes adequately address the requirements of section 128(a)(2) of the Act and is submitting the following rules and statutes to EPA for inclusion in Minnesota's SIP:

- Minn. Stat. § 10A.07, effective May 25, 2013
- Minn. Stat. § 10A.09, effective May 23, 2015
- Minn. R. 7000.0300, effective April 19, 2004

The MPCA will consider changing the contents of the proposed SIP revision based on comments received during the comment period. Following the end of the comment period, the Commissioner will decide whether to submit the proposed SIP revision to the EPA.

**MPCA contact person.** The MPCA contact person is Amanda Jarrett Smith. Written comments, requests, and petitions should be mailed to: Amanda Jarrett Smith, Minnesota Pollution Control Agency, Environmental Analysis and Outcomes Division, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194; telephone: 651-757-2486 or toll free 1-800-657-3864; fax: 651-297-8324; and email: [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us). TTY users may call the MPCA at TTY 651-252-5332 or 1-800-657-3864.

**Availability of SIP.** A copy of the proposed SIP revision is available on the MPCA's web site at <https://www.pca.state.mn.us/public-notice>. A copy of the proposed SIP revision is also available upon request by contacting Amanda Jarrett Smith at 651-757-2486 or [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us), or can be mailed to any interested person upon the MPCA's receipt of a written request. Additional materials relating to the SIP revision are available for inspection by appointment at the MPCA, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194, between the hours of 7:00 a.m. and 3:00 p.m., Monday through Friday. To examine these materials, or for more information, please contact Amanda Jarrett Smith. All MPCA offices may be reached by calling 1-800-657-3864.

**Public comment period and potential public meeting.** The public comment period begins April 5, 2016 and ends on May 5, 2016. Your comments must be in writing and received by Amanda Jarrett Smith by **4:00 p.m. on May 5, 2016**. Written comments may be submitted to her at the address, facsimile number, or e-mail address listed above.

As this SIP revision does not include any substantive changes to the Minnesota's SIP, a public information meeting will only be held if one is requested by **4:00 p.m. on May 5, 2016**. If such a meeting is requested, it will be held on May 9, 2016 from 10:00 a.m. to 12:00 p.m. at the MPCA St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194. To find out if a public information meeting will be held, please contact Amanda Jarrett Smith at 651-757-2486 or [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us) after 4:00 p.m. on May 5, 2016. The public information meeting, if one is requested, will provide information, receive public input, and answer questions about the proposed SIP revision. If the public information meeting is held, additional written comments on the proposed documents will be accepted until May 23, 2016 at 4:00 p.m., following the same guidelines described above.

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## Minnesota Department of Health

### Public Hearing Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 2016 Preventive Health and Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public hearing to obtain comments on the proposed uses of the Preventive Health and Health Services Block Grant funds during federal fiscal year 2016. Further information on the use of those funds is available upon request.

The public hearing will be conducted as part of a meeting of the State Preventive Health Advisory Committee held Monday, April 11, 2016 at the Minnesota Department of Health, Orville Freeman Building, 625 Robert Street North, St. Paul, MN in Meeting Room B-149. The advisory meeting will begin at 12:30 p.m. and public hearing will begin at 1:30 p.m. Any person or group may submit either written or oral comments at the meeting.

Written comments must be submitted by **noon Friday, April 8**, to the address below.

For further information contact:

Becky Buhler  
Public Health Practice Section  
Minnesota Department of Health  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
(651) 201-5795  
[becky.buhler@state.mn.us](mailto:becky.buhler@state.mn.us)

## Minnesota Department of Agriculture

### Plant Protection Division

#### Request for Participation in the Minnesota Industrial Hemp Development Act Pilot Program

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Agriculture (MDA) is requesting proposals for participation in a pilot program administered by the commissioner that will study the growth, cultivation or marketing of industrial hemp in the state. Industrial hemp is defined by *Minnesota Statutes, section 18K.02*, subdivision 3, as the plant *Cannabis sativa* L., and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration (“THC”) of not more than 0.3 percent on a dry weight basis. Industrial hemp is not marijuana as defined in *Minnesota Statutes, section 152.01*, subdivision 9. From here on out, this document will be referred to as a “request for participation” (RFP) and responders will be referred to as “applicants”.

#### Goal

It is the goal of this project that the governor, commissioner of agriculture, agricultural and manufacturing constituents, and Minnesota residents will learn more about the viability of a potential commercial industrial hemp industry in the state from research data collected through this pilot program.

Currently, there is no funding for this pilot program. Applicants will be responsible for all costs associated with participation. All applicants will be required to register their fields, storage locations, processing sites, etc. with the MDA and pay all registration and certification fees associated with the program. Applicants will also be required to adhere to all state and federal laws, pay for required testing, background checks or other regulatory processes governing the growth of industrial hemp, and provide sufficient security means to avoid diversion.

The pilot program is dependent on MDA’s ability to maintain a Drug Enforcement Agency (“DEA”) Schedule 1 Research Permit for Importation of *Cannabis sativa* L. Applicants should be aware of the federal regulations of *Cannabis sativa* prior to submitting a proposal. For more information regarding the federal Controlled Substances Act, please contact the Department of Justice at <http://www.justice.gov/contact-us> or the DEA’s Chicago Division which oversees the State of Minnesota at [http://www.dea.gov/divisions/contacts/chi\\_contact.shtml](http://www.dea.gov/divisions/contacts/chi_contact.shtml). Applicants are also encouraged to consult with an attorney regarding any potential liabilities that could result from participation in this pilot program.

#### Project Terms

To successfully participate with the MDA Industrial Hemp Pilot Program, applicants must submit a proposal following the

guidelines outlined in this RFP. Proposals will be accepted for research projects conducted in Minnesota only. Accepted research proposals under this pilot will be authorized for one year from the approval date. MDA will consider longer-term proposals; however, all applicants should be prepared to complete work described and provide the indicated deliverables to the MDA within a one-year period. Longer-term proposals, if approved, will be evaluated at the end of each year. If the applicant fails to meet proposed goals and deliverables during that period, MDA reserves the right to cancel any agreements with the applicant and terminate the research project.

This RFP does not obligate the state to approve or complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. Applicants who have any questions regarding this request for participation may contact the MDA via email: [MDA.Hemp@state.mn.us](mailto:MDA.Hemp@state.mn.us). Other personnel are not authorized to discuss this RFP with applicants. Contact regarding this RFP with any personnel not listed above could result in disqualification.

## Proposal Content

Applicants must submit the following information:

1. A detailed outline of the proposed objectives, goals, and individual tasks that will be undertaken as part of the proposed research program. If the applicant intends to describe activities that will continue for more than a one-year period, a specific time-frame to complete objectives and tasks should be indicated.
2. A description of the deliverables to be provided to the MDA by the applicant along with a detailed work plan that identifies the major tasks to be accomplished and be used as a scheduling and managing tool.
3. An outline of the applicant's background, qualifications and experience with examples of similar work done by the applicant and a list of personnel who will participate with the project, detailing their training, and work experience. Resumes or other information about project personnel should not, if possible, contain personal telephone numbers, home addresses or home email addresses. If it is necessary to include personal contact information, please clearly indicate in the proposal that personal contact information is being provided.
4. A recent criminal background check for all employees or participants assisting with the project, paid for by the applicant, administered through the Minnesota Bureau of Criminal Apprehension "(MN BCA)". This is an ongoing responsibility for the applicant during the term of the proposal. Please visit the MN BCA website for more information on how to request a background check: <https://dps.mn.gov/divisions/bca/pages/background-checks.aspx>. You can also call the MN BCA at 651-793-2400. Applicants are expected to be truthful in fully disclosing any criminal background information to MDA. Any attempt by the applicant to hide, ignore, or deceive the MDA regarding criminal background information may result in MDA terminating the proposal and reporting to the proper state and federal authorities.
5. A statement and/or supporting documents that show strong financial support to ensure that the objectives and deliverables outlined in the proposal can be met. MDA is only seeking proposals from applicants who have the resources to realistically complete the proposed study. Applicants that cannot document their financial stability with regards to the proposed work may not be accepted.
6. A detailed description of seed varieties, their source country, and their compliance with the Association of Official Seed Certifying Agencies (AOSCA) standards.
7. A full list of pesticides (insecticides, herbicides, fungicides, etc.) and fertilizers to be used in the project.
8. A detailed account of security measures for all aspects of the proposed research project. This should include, but not be limited to:
  - A. Seed accountability – what chain of custody records will be kept for seed from importation to planting?
  - B. Field security – how will the growing crop be protected so that outside parties are not able to divert *Cannabis*?
  - C. Storage security – how will stored seed or plant parts be securely stored so that no diversion takes place?
  - D. Destruction of seed or plant parts – how will *Cannabis* be destroyed or processed so that THC is no longer expressed in any usable way?
  - E. Diversion plan - how will participants or outsiders that may engage in illegal activities during the course of the research project be dealt with?
9. Detailed maps of all study sites, storage locations, processing buildings, or any other property where work will be



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conducted, including the legal description for each property.

10. Letters of support from local law enforcement officials, in all of the regions you plan to conduct research (including the county sheriff and appropriate municipal law enforcement), stating that they are aware of the lands and facilities described in the proposal and are also in support of the proposed work. Applicants must also allow access at any reasonable time for MDA personnel and federal, state, county and municipal law enforcement officials to inspect any lands or facility where the proposed work will be performed.

## **Proposal Instructions**

In order to be accepted for review, proposals should:

- 1) Include and address all of the requested content information;
- 2) Indicate who the primary contact person is (project leader) and include complete address; email and phone contact information;
- 3) Be created in Microsoft Word, or as a PDF, and written in Times New Roman font, no smaller than 11 font size; and
- 4) Be attached to an email as a Microsoft Word document or as a PDF (preferred) and sent to *MDA.Hemp@state.mn.us*.

Although it is preferred that proposals be sent to the MDA via an email attachment, if it is necessary to send a paper copy, please mail one copy of the proposal to the following address:

Plant Protection Division  
C/O Hemp Project RFP  
625 Robert Street North.  
St. Paul, MN 55155

This RFP will be posted on the MDA website and available throughout the year. Submitted proposals will be reviewed and evaluated as received. All costs incurred in responding to this RFP will be borne by the applicant. Faxed responses will not be accepted or considered.

## **Proposal Evaluation**

All responses received by the deadline will be evaluated by representatives of the MDA. Proposals will first be reviewed for responsiveness to determine if the mandatory requirements have been met. Proposals that fail to meet all of these requirements will not be accepted. The State reserves the right, based on the content of the proposals, to create a short-listing of applicants to interview with the MDA, or conduct further demonstrations/presentations. The state also reserves the right to seek the most qualified and experienced applicants from all proposal submissions.

## **Mandatory Requirements**

The following will be considered on a pass/fail basis:

1. Proposals must be received on or before the due date and time specified in this solicitation.
2. Successful applicants will address all ten of the requested "Proposal Content" items completely. Any proposal that does not clearly address any of the ten items and provide sufficient detail and supporting data as required (either within the proposal or as an attachment) may be denied or the applicant may be contacted by the MDA to request more information. However, the MDA reserves the right to deny incomplete or unsatisfactory proposals.
3. Proposals must provide clear objectives, goals and/or deliverables.
4. Proposals must directly address the goal of the pilot project.
5. Proposed activities are designed to be performed exclusively within the borders of Minnesota.
6. Proposals must provide sufficient evidence of having completed a Minnesota Bureau of Criminal Apprehension background check for the project leader and all other individuals working on the proposal.
7. Proposal content must adhere to all state, federal or local laws pertaining to controlled substances.

8. Law enforcement must support the proposed activities planned within their jurisdictions.

Applicants must agree to allow MDA officials access to their growing sites for random testing of plants throughout the growing season to ensure that Cannabis sativa growing at their study sites meets the legal definition of industrial hemp having  $\leq 0.3\%$  THC content. Field samples will be collected by MDA officials and sent to an approved laboratory for analysis. Successful applicants will be required to pay the costs involved with the collection of samples (MDA staff hourly rate and mileage) and laboratory analysis as part of the registration and certification fee to be determined by the commissioner as required by *Minnesota Statute* 18K.09. The specifics of plant sampling will be discussed and agreed upon between MDA and successful RFP applicants prior to the initiation of any project. Registration and certification fees will also be required to be paid up-front prior to beginning research work under the Pilot Program. Applicants will be required to submit to testing at any time when requested by local, state, or federal law enforcement officials. Refusal to submit to plant sampling will result in disqualification in the pilot program.

### **General Requirements**

**Proposal Contents:** by submission of a proposal, the applicant warrants that the information provided is true, correct and reliable for purposes of evaluation for potential contract award. The submission of inaccurate or misleading information may be grounds for disqualification from consideration under the pilot program as well as subject the applicant to suspension or debarment proceedings as well as other remedies available by law.

**Disposition of Responses:** all materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes*, section 13.591, after the evaluation process is completed, unless made non-public or private by other law. Pursuant to the statute, completion of the evaluation process occurs when the government entity has completed a memorandum of understanding (MOU) with successful applicants. If the applicant submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes*, section 13.37, the applicant must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the applicant agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

## **Board of Water and Soil Resources**

### **Notice of Request for Comment on the Implementation of the Minnesota Buffer Program**

The Minnesota Board of Water and Soil Resources (BWSR) is requesting public comment and information on the development of orders, guidance and procedures to support the implementation of Minnesota Statutes 103F.48, relating to water resources riparian protection requirements on public waters and public drainage systems.

The Buffer Program was enacted in 2015 and includes the following provisions:

- Requires landowners to establish and maintain buffers adjacent to public waters and public drainage ditches;
- Requires soil and water conservation districts to identify other waters for inclusion in local water plans;
- Exempts certain land uses and areas from the buffer requirement;
- Allows landowners to meet the buffer requirements through other conservation practices that will protect water quality;
- Requires soil and water conservation districts to assist landowners in complying; and
- Provides for enforcement of by counties, watershed districts or BWSR.

BWSR will be considering orders, guidance and procedures relating to:

- 1) Technical requirements for implementation of the buffer requirement;

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- 2) Administrative procedures, including for alternative water quality practices, validations of compliance, exemptions, and initial implementation waivers;
- 3) The identification of local water resources riparian protections (other waters), including criteria and processes for use by soil and water conservation districts; and
- 4) Compliance and enforcement.

A separate document on each of the items listed above is located on the BWSR website ([www.bwsr.state.mn.us/buffers](http://www.bwsr.state.mn.us/buffers)) that provides additional details on the topic, including specific questions for which information and comment is being requested.

Information and comments will be accepted until **4:30 p.m. on May 4, 2016**. Comments may be submitted via email to [buffers.bwsr@state.mn.us](mailto:buffers.bwsr@state.mn.us). Alternatively, comments may be submitted by U.S. mail as follows:

David Weirens  
Assistant Director for Programs and Policy  
Board of Water and Soil Resources  
520 Lafayette Road  
St. Paul, MN 55155

## Board of Water and Soil Resources Notice of Request for Comment on the Implementation of the Minnesota Excessive Soil Loss Program

The Minnesota Board of Water and Soil Resources (BWSR) is requesting public comment and information on the development of orders, guidance and procedures to support the implementation of the Minnesota Excessive Soil Loss Program (Minnesota Statutes 103F.401 to 103F.455).

Minnesota's soil erosion law which was enacted in 1984, establishes a public policy stating that a person may not cause excessive soil loss. The law was permissive in that it only encouraged local governments to adopt soil erosion ordinances and could not be implemented without a local government ordinance. The soil erosion law was changed in 2015 when a number of revisions were made that broadened its applicability.

These amendments alter this program from one that is implemented solely through county adopted ordinances to a program that addresses soil erosion issues through a complaint-based process. BWSR will be considering interim guidance to implement these changes, and plans to initiate the process to amend Minnesota Rules 8400.4000 through 8400.4080 in the next several months.

A separate document is available on the BWSR website ([www.bwsr.state.mn.us/buffers](http://www.bwsr.state.mn.us/buffers)) providing additional details on this topic, including specific questions for which information and comment is being requested.

Information and comments will be accepted until **4:30 p.m. on May 4, 2016**. Comments may be submitted via email to [buffers.bwsr@state.mn.us](mailto:buffers.bwsr@state.mn.us) or by U.S. mail as follows:

David Weirens  
Assistant Director for Programs and Policy  
Board of Water and Soil Resources  
520 Lafayette Road  
St. Paul, MN 55155

## Minnesota Housing Finance Agency Notice Of Hearing On Note Issuance

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency will hold a public hearing at **9:00 a.m. on Monday, April 18, 2016**, 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 or notes (the "Notes") in one or more series issued on one or more dates in the maximum principal amount set forth below, including a plan of finance therefor. The Notes 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 developments, including facilities related and subordinate thereto, for residential rental housing:

A 64-unit, 9 two-story buildings, multifamily housing development currently known as Aspen Glen Townhomes located at 2190 and 2204 County Road E West and a 108 unit 3-story single building to be known as Crossroads of New Brighton (also known as Palmer Drive Apartments) located at 2287 Palmer Drive, each in New Brighton, Minnesota 55112, each proposed to be acquired and rehabilitated by CR New Brighton Acquisition, LLC, a New York limited liability company, or an affiliate thereof or successor thereto, as its initial owner, operator or manager; the general partner of which will be Related CR New Brighton, LLC, a New York limited liability company, or another entity owned by or otherwise affiliated with Related Affordable, LLC of New York, New York. The maximum principal amount of the Notes or notes for this development is \$18,700,000.

Additional information may be obtained from the Minnesota Housing Finance Agency, Attn: John Rocker (651) 284-0078). Parties wishing to comment on the issuance of the Notes or notes may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing.

Dated: April 4, 2016.  
Mary Tingerthal  
Commissioner  
Minnesota Housing Finance Agency

## 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.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Bureau of Mediation Services

### Applications Accepted for Funding Under the Minnesota Area Labor-Management Committee Program for Fiscal Year 2017 Grants

The Bureau of Mediation Services is now accepting applications for funding of new or existing Area Labor-Management Committee programs pursuant to *Minnesota Statutes* § 179.81-.85 and Bureau of Mediation Services Rules, Chapter 5520.

The purpose of the program is to improve labor-management relations and enhance economic development in a geographic area of the state or within a specific industry through labor-management cooperation.

Grants will be based on each applicant's financial need and the ability to demonstrate program goals, objectives and work plans which address specific outcomes. The applicant may address all or a combination of the following points:

1. Increase participation in the labor-management cooperative process.
2. Increase in shared decision making between labor and management.
3. Enhance the level of knowledge regarding issues that affect the workplace.
4. Enhance the economic development climate in the area or industry of operation.
5. Maintain or enhance the number of specialized joint labor-management programs designed to increase the efficiency of services to the area or an industry.
6. Other evidence of positive labor-management program results attained through joint cooperative methods.

# State Grants & Loans

Persons interested in applying for such funds may secure an application form and policies on the Bureau's website: [mn.gov/admin/bms/labormgmt/](http://mn.gov/admin/bms/labormgmt/) or by requesting them from:

Carol Clifford  
Bureau of Mediation Services  
1380 Energy Lane, Suite Two  
St. Paul, Minnesota 55108-5253  
(651) 649-5423  
E-mail: [carol.clifford@state.mn.us](mailto:carol.clifford@state.mn.us)

Applications for funding for fiscal year 2017 must be postmarked or received by **May 9, 2016**.

Josh Tilsen  
Commissioner

## 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 Website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Minnesota Judicial Branch

### State Court Administrator's Office

#### Request for Services to Provide Method for Claiming Direct Personnel Costs for Court Administration Processing Tasks Associated with IV-D Child Support Cases

The State of Minnesota, State Court Administrator's Office, Court Services Division is using a competitive selection process to select a vendor to provide a streamlined method for claiming direct personnel costs for court administration case processing tasks associated with IV-D child support cases for ten judicial districts and indirect costs for one central office. This methodology and calculation will result in a statewide IV-D reimbursement report(s) that identifies the reimbursement amount in compliance with Title IV-D of the Social Security Act (including 2 CFR Part 225 (OMB Circular A-87)) and all other applicable federal and state law. This is not a bid but a request for proposals that could become the basis for negotiations leading to a contract with a vendor. The State of Minnesota Judicial Branch has been completing and submitting a IV-D Cost Allocation Plan annually since 2009.

The request for proposals does not obligate the Minnesota Judicial Branch to award a contract or complete the project and the Minnesota Judicial Branch reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested vendors should visit the Judicial Branch website/Get Connected/  
Public Notices at <http://www.mncourts.gov/About-The-Courts/NewsAndAnnouncements.aspx?t=notice> for detailed information.



## Minnesota Teachers Retirement Association Notice of Contract Opportunity for Security Partnership

**PROJECT NAME:** Security Partnership

**DETAILS:** The Minnesota Teachers Retirement Association is requesting proposals for the purpose of securing a security partnership with a third party to provide penetration testing, incident response, forensics and other services on an as needed basis.

Work is anticipated to start after May 16th

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

David Anderson  
CISO  
60 Empire Drive, Suite 400  
Saint Paul, Minnesota 55103  
[danderson@minnesotatra.org](mailto:danderson@minnesotatra.org)

**PROPOSAL DEADLINE:** Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail or email no later than **2:30 p.m., Central Time, April. 25, 2016**. **Late proposals will not be considered.** Fax proposals will **not** be considered.

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

## State of Minnesota Department of Administration Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Academic Health Center – Health Sciences Education & Learning Center – University of Minnesota, Twin Cities (State Designer Selection Board Project No. 16-03)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at <http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 16-03).

A **mandatory** informational meeting will be held on Monday, April 4, 2016 at 10:00 AM CT at the Moos Tower (515 Delaware Street SE, Minneapolis, MN 55455) Room 5-125. The meeting will include a tour of the proposed project areas and a review of the scope of work.

Any questions should be directed to **Amanda Aspenson** at [aspenson@umn.edu](mailto:aspenson@umn.edu). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Thursday, April 7, 2016 by 12:00 noon** Central Time.

Proposals must be delivered to Charlye McMillan, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 not later than **12:00 noon on Monday, April 18, 2016**. Late responses will not be considered.

The University of Minnesota 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.

# State Contracts

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## State Department of Administration

### Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Collections and Contemporary Learning and Scholarship – University of Minnesota (State Designer Selection Board Project No. 16-04)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at <http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 16-04).

A mandatory informational meeting will be held on Wednesday, April 13 at 1:30 PM CT at the Blegen Hall Room 5, 269 19th Avenue S, Minneapolis, MN, 55455. The meeting will include a presentation and a review of the scope of work.

Any questions should be directed to **Ian Baebenroth** at [ifb@umn.edu](mailto:ifb@umn.edu). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Friday, April 15 no later than 2:00 PM Central Time**.

Proposals must be delivered to Charlye McMillan, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 not later than **12:00 noon Central Time on Monday, April 25, 2016**. Late responses will not be considered.

The University of Minnesota 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 Department of Human Services

### Children's Mental Health Division

#### Notice of Request for Proposals for Qualified Grantees to Provide Psychiatric Inpatient Hospital Treatment for Mental Illness Under the Continuing Care Benefit Program.

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services, through its Children's Mental Health Division, is seeking proposals from qualified responders to provide a continuing care benefit program for children and youth with mental illness, which may include symptoms of severe aggression or violence. The continuing care benefit, as allowed by Minnesota Statutes, section 256.9693, authorizes the State to contract with hospitals to provide psychiatric inpatient hospital level of care. The contract will allow for a per diem payment beyond the initial acute care inpatient hospitalization payment for eligible individuals as defined in Minnesota Statutes, section 256.9693. The purpose of the continuing care benefit is to support the State's objectives to:

- provide access to psychiatric inpatient hospital treatment
- support stabilization by allowing children and youth to receive services by the hospital treatment team
- utilize evidence based practices for treatment as identified in a patient's individual treatment plan

Children eligible for this continuing care benefit will be Medical Assistance eligible children who have a documented medical necessity for psychiatric inpatient hospital level of care. Eligible children will be either fee-for-service MA eligible or under a Prepaid Medical Assistance Plan, and may be either civilly committed under Minnesota Statutes section 253B or voluntarily committed.

Work is proposed to start no later than October 1, 2016. For more information, or to obtain a copy of the request for proposal, contact:

Bill Wyss  
Department of Human Services  
Children's Mental Health Division  
P.O. Box 64985  
444 Lafayette Road North, St. Paul, MN 55155-0985  
Phone: (651) 431-2364, Fax: (651) 431-7559  
[bill.wyss@state.mn.us](mailto:bill.wyss@state.mn.us)

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 9, 2016. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/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.

## Minnesota Department of Health Request For Proposal For Marketing Plan – Promoting The National Diabetes Prevention Program

### Project Overview

The State (“MDH”) has received funding from the Centers for Disease Control and Prevention to issue funding to certain contractors via the Community Wellness Grant, and to work with local public health in the selected four Minnesota communities to improve the health of their priority populations.

- Des Moines Valley and Nobles Community Health Boards
- Healthy Northland a public health collaborative serving Aitkin, Carlton, Cook, Itasca, Koochiching, Lake and St. Louis counties
- City of Minneapolis Community Health Board
- PartnerSHIP 4 Health a community and public health collaborative serving Becker, Clay, Otter Tail and Wilkin counties

The contractor will work with MDH and the above communities to develop a comprehensive marketing and communications plan that engages traditionally hard-to-reach populations who are at higher risk for diabetes, who are culturally diverse, and who have lower household incomes. The marketing and communications plan will be aimed at increasing awareness of diabetes prevention and encouraging enrollment in the National Diabetes Prevention Program (“NDPP”). The plan must be based on materials MDH created for the Medicaid Incentives for the Prevention of Chronic Disease project and shall include:

- A content development strategy to develop new community-specific, priority-population content for web, print, video and radio that aligns with the existing materials developed for the Medicaid Incentives for the Prevention of Chronic Disease project;
- A design strategy that revises [www.preventdiabetesmn.org](http://www.preventdiabetesmn.org) to carry through the design of existing creative materials developed for the Medicaid Incentives for the Prevention of Chronic Disease project, incorporates new content that is specific to the above communities, and aligns with the National Ad Council’s prediabetes awareness campaign; and
- A content dissemination strategy for each of the above communities that includes community-specific, multicultural media placement; digital media to reach targeted communities; and other channels like posters or videos with the goal of reaching priority populations and driving them to access the [www.preventdiabetesmn.org](http://www.preventdiabetesmn.org) website and to enroll in an NDPP course.

### Goal

This project will engage traditionally hard to reach populations who are at higher risk for diabetes, are culturally diverse, and who have lower household incomes, with the goal of increasing awareness of diabetes prevention and encouraging and facilitating enrollment in the National Diabetes Prevention Program (NDPP).

### Sample Tasks

#### 1. Discovery

- Review Community Wellness Grant goals and each of the above community’s work plans to build communications objectives, strategies and tactics;
- Analyze the target audiences identified in each of the above community’s work plans to understand their characteristics, beliefs, behavior and perceptions relating to diabetes, diabetes prevention and the Diabetes Prevention Program; and
- Analyze the communications channels (e.g. media, social media, email, direct mail) in each of the above communities to determine which of these channels will most effectively reach the target audience

# State Contracts

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2. Develop community-specific marketing and communications plans that include:

- Key messages and branding;
- Community-specific content for target audiences identified in each of the above community's work plans and
- A content dissemination plan.

3. Produce and implement creative materials for the above referenced communications channels, as defined by the marketing/communications plan.

4. Develop recommendations for evaluation of the marketing plan for each community.

The contractor will meet at least monthly with the MDH's Health Promotion and Chronic Disease Division's Communications Coordinator and Diabetes Program staff. At these meetings, MDH and the contractor will review current deliverables and progress toward accomplishing upcoming deliverables. The contractor will update the project work plan as deemed appropriate by MDH, and MDH will then approve those updates.

The contract will begin on the date stated in the contract or upon full execution of the contract, whichever is later, and will be completed by September 30, 2017 with the option to extend an additional 1 year in increments determined by MDH.

Responders are encouraged to propose additional tasks or activities if they will substantially improve the results of the project. These items should be separated from the required items on the cost proposal.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions concerning this Request for Proposal should be directed to:

Sara Maaske, Project Coordinator  
Health Promotion and Chronic Disease Division  
Minnesota Department of Health  
PO Box 64882  
St. Paul, MN 55164

*sara.maaske@state.mn.us*  
Telephone 651-201-3935

Other personnel are **NOT** authorized to discuss this request for proposal with responders, before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above could result in disqualification.

## Proposal Content

Responders must submit the following information:

### 1. Background and Experience

Describe your background and experience with social marketing and community engagement. Provide examples of any similar work. Describe your experience working with public health or similar governmental or non-profit agencies. Include a list of the personnel who will conduct the project, and detail their training and work experience.

### 2. Process Description – Narrative

Given the project budget, describe the most feasible methods to develop a comprehensive marketing and communications plan that engages traditionally hard-to-reach populations who are at higher risk for diabetes, are culturally diverse, and have lower incomes, and describe your experience in work aimed at preventing diabetes and enrolling people in the National Diabetes Prevention Program (NDPP). How will you work with four geographically dispersed Minnesota grantees? What barriers do you anticipate at each stage of this work and how will you overcome them?

### 3. Work Plan

Provide a work plan with a proposed time line for activities and outputs.

## 4. Budget

Provide a line-item budget and budget justification. Travel costs should be included as part of the project pricing and not as a separate line-item.

## 5. Submit the following forms:

- A. Affidavit of Non Collusion
- B. Veterans Preference Form (if applicable)
- C. Resident Vendor Form (if applicable)

## Proposal Instructions

All proposals must be sent to:

Sara Maaske, Project Coordinator  
Minnesota Department of Health  
Health Promotion and Chronic Disease Division

For U.S. Mail delivery:

PO Box 64882  
St. Paul, MN 55164

For Fed Ex or courier delivery:

85 East 7th Place, Suite 220  
St. Paul, MN 55401

Email: [sara.maaske@state.mn.us](mailto:sara.maaske@state.mn.us)

All proposals must be received not later than **4 p.m. Central Standard Time, on April 29, 2016**, as indicated by a notation made by the Receptionist located at 85 East 7th Place, Suite 220, St. Paul, MN.

### **Late proposals will not be considered.**

All costs incurred in responding to this RFP will be borne by the responder.  
Fax and email responses will not be accepted or considered.

Submit three copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address written on the outside. Each copy of the proposal must be signed in ink by an authorized member of the firm.

Provide one copy of the cost proposal in a separately sealed envelope clearly marked on the outside "Cost Proposal" along with the firm's name. For purposes of completing the cost proposal, the state does not make regular payments based upon the passage of time, it only pays for services performed or work delivered after it is accomplished.

Proposals will be evaluated on "best value" as specified below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded.

MDH has estimated that the cost of this contract should not exceed \$40,000. Price will be a significant factor in the evaluation of proposals.

## Proposal Evaluation

All responses received by the deadline will be evaluated by representatives of MDH. Proposals will first be reviewed for responsiveness to determine if the minimum requirements have been met. Proposals that fail to meet minimum requirements will not advance to the next phase of the evaluation. The State reserves the right, based on the scores of the proposals, to create a short-listing of vendors who have received the highest scores to interview or conduct demonstrations/presentations. The state reserves the right to seek best and final offers from one or more responders. A 100-point scale will be used to create the final evaluation recommendation.



# State Contracts

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## **Mandatory Requirements (Scored as Pass/Fail)**

The following will be considered on a pass/fail basis:

1. Proposals must be received on or before the due date and time specified in this solicitation.
2. Responders must have experience with public health behavior change marketing campaigns.

## **Evaluation Factors (Scored based on percentage or points as indicated)**

The factors and weighting on which proposals will be judged are:

1. Experience and qualifications 35%
  - a. Experience promoting prevention of prediabetes and type 2 diabetes
  - b. Experience working with the National Diabetes Prevention Program
2. Proposed process 25%
3. Work plan 10%
4. Cost detail 30%

It is anticipated that the evaluation and selection will be completed by May 31, 2016

## **General Requirements**

### **Affidavit of Noncollusion**

Each responder must complete the attached Affidavit of Noncollusion and include it with the response.

### **Conflicts of Interest**

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

### **Proposal Contents**

By submission of a proposal, Responder warrants that the information provided is true, correct and reliable for purposes of evaluation for potential contract award. The submission of inaccurate or misleading information may be grounds for disqualification from the award as well as subject the responder to suspension or debarment proceedings as well as other remedies available by law.

### **Disposition of Responses**

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with Minnesota Statutes, section 13.591, after the evaluation process is completed. Pursuant to the statute, completion of the evaluation process occurs when the government entity has completed negotiating the contract with the selected vendor. If the Responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, Minnesota Statute § 13.37, the Responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the Responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the Responder to be proprietary or trade secret materials.

Notwithstanding the above, if the State contracting party is part of the judicial branch, the release of data shall be in accordance with the Rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court as the same may be amended from time to time.

## **Contingency Fees Prohibited**

Pursuant to Minnesota Statutes Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

## **Sample Contract**

You should be aware of the State's standard contract terms and conditions in preparing your response. A sample State of Minnesota Professional/Technical Services Contract is attached for your reference. Much of the language reflected in the contract is required by statute. If you take exception to any of the terms, conditions or language in the contract, you must indicate those exceptions in your response to the RFP; certain exceptions may result in your proposal being disqualified from further review and evaluation. Only those exceptions indicated in your response to the RFP will be available for discussion or negotiation.

## **Reimbursements**

Reimbursement for travel and subsistence expenses actually and necessarily incurred by the contractor as a result of the contract will be in no greater amount than provided in the current "Commissioner's Plan" promulgated by the commissioner of Employee Relations. Reimbursements will not be made for travel and subsistence expenses incurred outside Minnesota unless it has received the State's prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

## **Organizational Conflicts of Interest**

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, a vendor is unable or potentially unable to render impartial assistance or advice to the State, or the vendor's objectivity in performing the contract work is or might be otherwise impaired, or the vendor has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division ("MMD") which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to MMD, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor, and the terms "contract," "contractor," and "contracting officer" modified appropriately to preserve the State's rights.

## **Preference to Targeted Group and Economically Disadvantaged Business and Individuals**

In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors will receive a six percent preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors will receive a six percent preference in the evaluation of their proposal. Eligible TG businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at [mmdhelp.line@state.mn.us](mailto:mmdhelp.line@state.mn.us). For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.

## **Veteran-Owned Small Business Preference**

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, subd. 6a, the Commissioner of Administration will award a 6% preference in the amount bid on state procurement to certified small businesses that are majority owned and operated by veterans.

A small business qualifies for the veteran-owned preference when it meets one of the following requirements. 1) The business has been certified by the Department of Administration/Materials Management Division as being a veteran-owned or service-disabled veteran-owned small business. 2) The principal place of business is in Minnesota AND the United States Department of Veterans Affairs verifies the business as being a veteran-owned or service-disabled veteran-owned small business under Public Law 109-461 and Code of Federal Regulations, title 38, part 74 (Supported By Documentation). See Minn. Stat. § 16C.19(d).

Submit the appropriate documentation with the solicitation response to claim the veteran-owned preference. Statutory requirements and documentation must be met by the solicitation response due date and time to be awarded the preference.

# State Contracts

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## **Foreign Outsourcing of Work Prohibited**

All services under this contract shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors at all tiers.

## **Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.**

Federal money will be used or may potentially be used to pay for all or part of the work under the contract, therefore the Proposer must certify the following, as required by the regulations implementing Executive Order 12549.

## **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions**

### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverages sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

## **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **Insurance Requirements**

A. Contractor shall not commence work under the contract until they have obtained all the insurance described below and the State of Minnesota has approved such insurance. Contractor shall maintain such insurance in force and effect throughout the term of the contract.

B. Contractor is required to maintain and furnish satisfactory evidence of the following insurance policies:

**1. Workers' Compensation Insurance:** Except as provided below, Contractor must provide Workers' Compensation insurance for all its employees and, in case any work is subcontracted, Contractor will require the subcontractor to provide Workers' Compensation insurance in accordance with the statutory requirements of the State of Minnesota, including Coverage B, Employer's Liability. Insurance **minimum** limits are as follows:

\$100,000 – Bodily Injury by Disease per employee  
\$500,000 – Bodily Injury by Disease aggregate  
\$100,000 – Bodily Injury by Accident

If Minnesota Statute 176.041 exempts Contractor from Workers' Compensation insurance or if the Contractor has no employees in the State of Minnesota, Contractor must provide a written statement, signed by an authorized representative, indicating the qualifying exemption that excludes Contractor from the Minnesota Workers' Compensation requirements.

If during the course of the contract the Contractor becomes eligible for Workers' Compensation, the Contractor must comply with the Workers' Compensation Insurance requirements herein and provide the State of Minnesota with a certificate of insurance.

**2. Commercial General Liability Insurance:** Contractor is required to maintain insurance protecting it from claims for damages for bodily injury, including sickness or disease, death, and for care and loss of services as well as from claims for property damage, including loss of use which may arise from operations under the Contract whether the operations are by the Contractor or by a subcontractor or by anyone directly or indirectly employed by the Contractor under the contract. Insurance **minimum** limits are as follows:

\$2,000,000 – per occurrence  
\$2,000,000 – annual aggregate  
\$2,000,000 – annual aggregate – Products/Completed Operations

The following coverages shall be included:

Premises and Operations Bodily Injury and Property Damage  
Personal and Advertising Injury  
Blanket Contractual Liability  
Products and Completed Operations Liability  
Other; if applicable, please list \_\_\_\_\_  
State of Minnesota named as an Additional Insured, to the extent permitted by law

**3. Commercial Automobile Liability Insurance:** Contractor is required to maintain insurance protecting it from claims for damages for bodily injury as well as from claims for property damage resulting from the ownership, operation, maintenance or use of all owned, hired, and non-owned autos which may arise from operations under this contract, and in case any work is subcontracted the contractor will require the subcontractor to maintain Commercial Automobile Liability insurance. Insurance **minimum** limits are as follows:

\$2,000,000 – per occurrence Combined Single limit for Bodily Injury and Property Damage

In addition, the following coverages should be included:

Owned, Hired, and Non-owned Automobile

C. Additional Insurance Conditions:

• Contractor's policy(ies) shall be primary insurance to any other valid and collectible insurance available to the State of Minnesota with respect to any claim arising out of Contractor's performance under this contract;

• If Contractor receives a cancellation notice from an insurance carrier affording coverage herein, Contractor agrees to notify the State of Minnesota within five (5) business days with a copy of the cancellation notice, unless Contractor's policy(ies)

# State Contracts

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contain a provision that coverage afforded under the policy(ies) will not be cancelled without at least thirty (30) days advance written notice to the State of Minnesota;

- Contractor is responsible for payment of Contract related insurance premiums and deductibles;
- If Contractor is self-insured, a Certificate of Self-Insurance must be attached;
- Contractor's policy(ies) shall include legal defense fees in addition to its liability policy limits, with the exception of B.4 above;
- Contractor shall obtain insurance policy(ies) from insurance company(ies) having an "AM BEST" rating of A- (minus); Financial Size Category (FSC) VII or better, and authorized to do business in the State of Minnesota; and
- An Umbrella or Excess Liability insurance policy may be used to supplement the Contractor's policy limits to satisfy the full policy limits required by the Contract.

D. The State reserves the right to immediately terminate the contract if the contractor is not in compliance with the insurance requirements and retains all rights to pursue any legal remedies against the contractor. All insurance policies must be open to inspection by the State, and copies of policies must be submitted to the State's authorized representative upon written request.

E. The successful responder is required to submit Certificates of Insurance acceptable to the State of MN as evidence of insurance coverage requirements prior to commencing work under the contract.

#### **E-Verify Certification (In accordance with Minn. Stat. §16C.075)**

By submission of a proposal for services in excess of \$50,000, Contractor certifies that as of the date of services performed on behalf of the State, Contractor and all its subcontractors will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the State. In the event of contract award, Contractor shall be responsible for collecting all subcontractor certifications and may do so utilizing the E-Verify Subcontractor Certification Form available at <http://www.mmd.admin.state.mn.us/doc/VerifySubCertForm.doc>. All subcontractor certifications must be kept on file with Contractor and made available to the State upon request.

## **Minnesota State Colleges and Universities (MnSCU)**

### **Campus Service Cooperative**

#### **Notice of Request for Proposals for Bookstore Point-of-Sale/ECommerce/Inventory/Accounting System**

**Notice is hereby given** that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of its member institutions, is soliciting proposals from qualified vendors for a system to manage point-of-sale, eCommerce, inventory and accounting processes in our institution bookstores.

The Request for Proposal will be available at the following URL: <http://www.csc.mnscu.edu/sourcing/RFP.html>

Contact for all questions and information is [michael.noble-olson@so.mnscu.edu](mailto:michael.noble-olson@so.mnscu.edu). Submit all questions in writing by Monday March 28, 2016 at 3:00 p.m. CDT.

All proposals must be received **no later than Tuesday, April 12, 2016 at 3:00 p.m. CDT** at MnSCU System Office, 30 7<sup>th</sup> St. East, Suite 350, St. Paul, MN 55101 (Attn: Michael Noble-Olson).

Minnesota State Colleges and Universities reserves the right to reject any or all proposals, to waive any irregularities or informalities in proposals received, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate the Minnesota State Colleges and Universities to award a contract.



## Minnesota State Colleges and Universities (MnSCU)

### North Hennepin Community College

#### Notice of Request for Proposals (RFP) for Campus Architect

NOTICE IS HEREBY GIVEN that North Hennepin Community College (NHCC) is soliciting proposals from qualified vendors for architectural services. The full Request for Proposals (RFP) will be available Monday, April 4 at:

<http://www.finance.mnscu.edu/facilities/index.html> under “Announcements” then click on “Solicitations”. All requirements and information, as well as proposal delivery instructions will be contained in the RFP.

**Proposals must be delivered to:**

**Dan Hall, Vice President of Finance and Facilities**

**North Hennepin Community College**

**7411 85<sup>th</sup> Avenue North**

**Educational Services Building, Room ES-12**

**Brooklyn Park, Minnesota 55455**

Proposals must be received NO later than **2:00 PM, Tuesday, April 19, 2016**; late responses will not be considered. North Hennepin Community College reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This Request for Proposals does not obligate NHCC to award a contract.

## Minnesota State Colleges and Universities (MnSCU)

### South Central College

#### Notice of Request for Proposals for Wire EDM System

Notice is hereby given that sealed Proposals will be received by South Central College, North Mankato, MN until **10:00 AM on Monday April 18, 2016**. Proposals must be sealed. Emailed proposals will not be accepted.

Proposals are to be for quantity of 1 Wire EDM System. Specifications and other information can be found at [www.SouthCentral.edu/purchasing](http://www.SouthCentral.edu/purchasing) South Central College reserves the right to reject any and all proposals without the requested specifications.

**Proposals:**

Please address any questions to Donna Sampson, 1920 Lee Blvd, North Mankato, MN 56003: (507) 389-7287: or at [donna.sampson@southcentral.edu](mailto:donna.sampson@southcentral.edu). Securely seal the proposals & endorse upon the outside of the envelope “Proposals for Wire EDM System”

Mail sealed Proposals to:

Donna Sampson

South Central College

1920 Lee Blvd

North Mankato, MN 56003

## 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

# State Contracts

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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/>.

## Metropolitan Airports Commission (MAC) Call for Bids for Terminal 1-Lindbergh PBB Replacement

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2016 Terminal 1-Lindbergh PBB Replacement - Phase 2  
**MAC Contract No.** 106-2-808  
**Bids Close At:** 2:00 PM on April 12, 2016

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the replacement of three (3) passenger boarding bridges, new boarding bridge fixed walkways, and all associated controls, equipment, accessories, and foundations. Building architectural and structural modifications are also included in the project, as well as mechanical and electrical improvements. Security cameras and boarding door card readers to conform with the current MAC design standards are also included in this project. Site work includes concrete removal and restoration, pavement marking, and fuel pit relocation.

**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?qsp=CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?qsp=CODE_RED) and choose this and other topics about which you are interested.

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

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

### Availability of Bidding Documents

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

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 28, 2016, 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)

### Call for Bids for Terminal 1-Lindbergh Tram System Upgrades

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2016 Terminal 1-Lindbergh Tram System Upgrades (P2)  
**MAC Contract No.:** 106-2-784  
**Bids Close At:** 2:00 p.m. Tuesday, April 12, 2016

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project is located at the hub core tram and concourse tram locations at Terminal 1-Lindbergh of the Minneapolis-St. Paul International Airport. The scope of the work includes installing electrical distribution gear that will serve the existing hub core tram system. Work also includes substructure cleaning and sealing, as well as superstructure scraping and painting at the concourse tram structure.

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

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Michaud Cooley Erickson; 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; PH: 763.503.3401; FX: 763.503.3409. Make checks payable to: Michaud Cooley Erickson. Deposit per set (refundable): \$100. 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 March 28, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

## Metropolitan Airports Commission (MAC)

### Public Notice of Request for Qualifications for MSP 2016 Concessions Consultant Services Opportunity

The Metropolitan Airports Commission (MAC) is requesting a Statement of Qualifications (SOQ) from qualified firms interested in providing concessions consulting services as outlined in the issued Request for Qualifications (RFQ). To obtain a copy of the RFQ, please go to the following website

<http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> and look under Request for Qualifications. The RFQ is to be released on or about March 28, 2016.

Airport Contact for the RFQ is Kate Webb at 612.726.8197 or [rfp@mspmac.org](mailto:rfp@mspmac.org). Questions regarding the RFQ are due in writing to MAC no later than **5:00 p.m. CDT on April 6, 2016**. The SOQs are due on or before **5:00 p.m. CDT on April 20, 2016**.