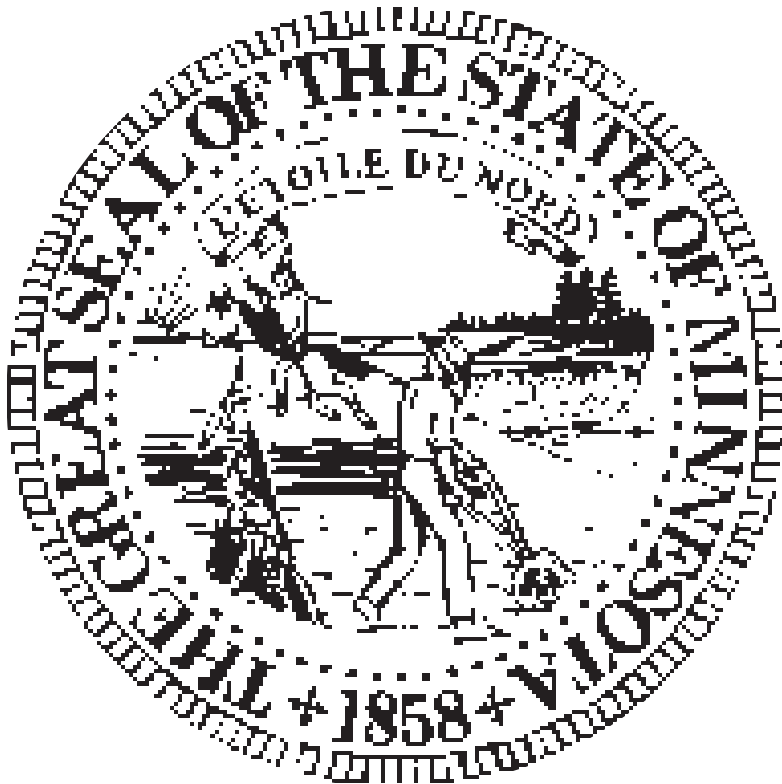


The Minnesota  
**State  
Register**

**Rules and Official Notices Edition**



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# State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

### Printing Schedule and Submission Deadlines

Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 16	Monday 20 October	Monday 6 October	Monday 13 October
# 17	Monday 27 October	Monday 13 October	Monday 20 October
# 18	Monday 3 November	Monday 20 October	Monday 27 October
# 19	Monday 10 November	Monday 27 October	Friday 31 October

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### FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

Contact: Senate Public Information Office (612) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (612) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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Professional, Technical and Consulting contract awards are published monthly in an *Awards Report*.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

# 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. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. 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 in the *State Register*, 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. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

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 #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). 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, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Higher Education Services Office

### Proposed Permanent Rules Relating to Child Care Grants

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing the Child Care Grants Program, *Minnesota Rules*, 4830.7100-4830.7900

**Introduction.** The Minnesota Higher Education Services Office intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on November 20, 1997, a public hearing will be held in the 5th Floor Conference Room, Veterans Services Building, 20 West 12th Street, St. Paul, Minnesota 55155, starting at 9:00 a.m. on December 8, 1997. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after November 20, 1997 and before December 8, 1997.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is:

Mary Lou Dresbach  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
(612) 296-3974 (ext. 3036)  
Fax: (612) 297-8880

TTY users should contact the Minnesota Relay Service at 1-800-627-3529 and request assistance in contacting the Higher Education Services Office.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

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**Subject of Rules and Statutory Authority.** The proposed rules are about Non-AFDC Child Care Grants awarded to eligible students attending participating Minnesota post-secondary institutions. The statutory authority to adopt the rules is *Minnesota Statutes*, section 136A.01, Subd. 2(8). 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 November 20, 1997, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on 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 a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on November 20, 1997. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. 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 written request for a hearing, a public hearing will be held 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/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 8, 1997, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 296-3974 (ext. 3036) after November 20, 1997 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Allan W. Klein is assigned to conduct the hearing. Judge Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 341-7609, and fax 612/349-2665.

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

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

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This 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. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want 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.

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

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

Dated: 2 October 1997

Robert K. Poch  
Director

#### **4830.7100 DEFINITIONS.**

[For text of subps 1 to 2a, see M.R.]

Subp. 5. **Eligible student.** "Eligible student" means a student who:

[For text of items A to C, see M.R.]

D. is not a recipient of aid to families with dependent children (AFDC) or Minnesota family investment program-statewide (MFIP-S);

[For text of items E to J, see M.R.]

[For text of subps 5a to 7, see M.R.]

#### **4830.7500 AMOUNT AND TERM OF GRANTS.**

Subp. 2. **Amount.** The amount of a grant must be based on:

A. the cost of child care for ~~all children~~ each child 12 years old or younger, or 14 years old or younger if the child is handicapped as defined in *Minnesota Statutes*, section 120.03;

B. the provider's charge up to a maximum rate established each year by the office;

C. the student's enrollment status; and

D. ~~the age of the children; and~~

~~E.~~ the award chart prepared by the office.

The institution shall estimate the amount of child care needed for the academic year and summer terms, and may add an amount up to that estimated cost to the institution's normal student budget used to calculate the student's financial need. The non-AFDC child care grant and other forms of financial aid may be used to pay for the child care if the expense is not covered by other funds.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

Subp. 2a. **Academic year award.** The amount of the grant per eligible child for the academic year ~~must be~~ is the amount specified in Minnesota Statutes, section 136A.125, subdivision 4, multiplied by the percentage shown on the following chart rounded to the nearest ten dollars:

### CHILD CARE GRANTS PER ELIGIBLE CHILD

Total Income less than	Family Size 2	Family Size 3	Family Size 4	Family Size 5
\$10,000	\$1,700	\$1,700	\$1,700	\$1,700
\$13,000	\$1,700	\$1,700	\$1,700	\$1,700
\$16,000	\$1,500	\$1,700	\$1,700	\$1,700
\$19,000	\$900	\$1,500	\$1,700	\$1,700
\$22,000	\$600	\$1,200	\$1,500	\$1,700
\$25,000	\$300	\$900	\$1,200	\$1,700
\$28,000	\$0	\$600	\$900	\$1,700
\$31,000	\$0	\$300	\$600	\$1,500
\$34,000	\$0	\$0	\$300	\$1,200
\$37,000	\$0	\$0	\$300	\$900
\$40,000	\$0	\$0	\$0	\$600
\$43,000	\$0	\$0	\$0	\$300
\$46,000	\$0	\$0	\$0	\$0
\$49,000	\$0	\$0	\$0	\$0
\$52,000	\$0	\$0	\$0	\$0
\$55,000+	\$0	\$0	\$0	\$0

Total Income less than	Family Size 6	Family Size 7	Family Size 8	Family Size 9	Family Size 9+
\$10,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$13,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$16,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$19,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$22,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$25,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$28,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$31,000	\$1,700	\$1,700	\$1,700	\$1,700	\$1,700
\$34,000	\$1,500	\$1,500	\$1,700	\$1,700	\$1,700
\$37,000	\$1,200	\$1,200	\$1,500	\$1,700	\$1,700
\$40,000	\$900	\$900	\$1,200	\$1,200	\$1,500
\$43,000	\$600	\$600	\$900	\$900	\$1,200
\$46,000	\$300	\$300	\$600	\$600	\$900
\$49,000	\$300	\$300	\$300	\$300	\$600
\$52,000	\$0	\$0	\$0	\$300	\$300
\$55,000+	\$0	\$0	\$0	\$0	\$0



**CHILD CARE GRANTS PER ELIGIBLE CHILD**

<u>Total Income</u> <u>less than</u>	<u>Family</u> <u>Size</u> <u>2</u> (Percent)	<u>Family</u> <u>Size</u> <u>3</u> (Percent)	<u>Family</u> <u>Size</u> <u>4</u> (Percent)	<u>Family</u> <u>Size</u> <u>5</u> (Percent)
\$10,000	100	100	100	100
\$13,000	100	100	100	100
\$16,000	88.24	100	100	100
\$19,000	52.94	88.24	100	100
\$22,000	35.29	70.59	88.24	100
\$25,000	17.65	52.94	70.59	100
\$28,000	0	35.29	52.94	100
\$31,000	0	17.65	35.29	88.24
\$34,000	0	0	17.65	70.59
\$37,000	0	0	17.65	52.94
\$40,000	0	0	0	35.29
\$43,000	0	0	0	17.65
\$46,000	0	0	0	0
\$49,000	0	0	0	0
\$52,000	0	0	0	0
\$55,000+	0	0	0	0

<u>Total Income</u> <u>less than</u>	<u>Family</u> <u>Size</u> <u>6</u> (Percent)	<u>Family</u> <u>Size</u> <u>7</u> (Percent)	<u>Family</u> <u>Size</u> <u>8</u> (Percent)	<u>Family</u> <u>Size</u> <u>9</u> (Percent)	<u>Family</u> <u>Size</u> <u>10+</u> (Percent)
\$10,000	100	100	100	100	100
\$13,000	100	100	100	100	100
\$16,000	100	100	100	100	100
\$19,000	100	100	100	100	100
\$22,000	100	100	100	100	100
\$25,000	100	100	100	100	100
\$28,000	100	100	100	100	100
\$31,000	100	100	100	100	100
\$34,000	88.24	88.24	100	100	100
\$37,000	70.59	70.59	88.24	100	100
\$40,000	52.94	52.94	70.59	70.59	88.24
\$43,000	35.29	35.29	52.94	52.94	70.59
\$46,000	17.65	17.65	35.29	35.29	52.94
\$49,000	17.65	17.65	17.65	17.65	35.29
\$52,000	0	0	0	17.65	17.65
\$55,000+	0	0	0	0	0

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

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Subp. 2b. **Award disbursements.** The academic year award amount ~~in subpart 2a~~ must be disbursed by academic term using the following formula:

- A. the academic year amount ~~shown on the chart described~~ in subpart 2a;
- B. divided by the number of terms in the academic year;
- C. divided by 15; and
- D. multiplied by the number of credits for which the student is enrolled that academic term, up to 15 credits.

Payments shall be made each academic term to the student or to the child care provider, as determined by the institution. Institutions may make payments more than once within the academic term.

Subp. 2c. **Summer terms award.** Students attending summer school may receive an additional grant award per eligible child up to one-third of the academic year award ~~shown on the chart described~~ in subpart 2a for quarter-based schools and up to one-half the academic year award ~~shown on the chart described in subpart 2a~~ for semester-based schools.

[For text of subp 3a, see M.R.]

### **4830.7800 REFUNDS.**

If a recipient fails to enroll or reduces enrollment, the school must refund the unused portion of the award to the non-AFDC child care grant program. If the director determines that a school has fraudulently handled grant money, the refund of the unused portion of the award is immediately due to the office, and the office may institute a civil action for recovery if necessary. Refunds to the non-AFDC child care grant program are determined as follows:

- A. calculate the percentage that the child care grant award represents of the student's total financial aid package for the applicable term; excluding funds received from federal Title IV programs, United States Code, title 20, chapter 28, sections 1070 to 1099c-1;
- B. calculate the total tuition refund amount using the ~~institution's refund policy or the federal pro rata~~ refund calculation required of schools participating in federal Title IV programs, United States Code, title 20, chapter 28, sections 1070 to 1099C-1;
- C. subtract the federal aid programs' refund amount from item B to determine the remaining tuition refund amount; and
- D. multiply the percentage in item A by the amount calculated in item C to determine the amount to be refunded to the non-AFDC child care program.

Refunded money to the non-AFDC child care program is available for awards to eligible students.

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 mat-

## **Department of Health**

### **Interagency Long-Term Care Planning Committee (INTERCOM)**

#### **Notice of Public Hearing on Proposals Submitted for Exceptions to the Moratorium on Licensure and Certification of Nursing Home and Boarding Care Home Beds**

The Interagency Long-Term Care Planning Committee (INTERCOM) will hold a public hearing on all proposals submitted in response to the request for proposals for exceptions to the moratorium on licensure and certification of nursing home and boarding care home beds, in accordance with *Minnesota Statutes*, section 144A.073, subdivision 3. The public hearing will be held on Monday, December 1, 1997, from 1:00 p.m. to 4:00 p.m. The public hearing will be held at the Auditorium, Capitol View Conference Center, 70 West County Road B2 (at Rice St., north of Highway 36), in Little Canada, Minnesota. For more information, contact Maggie Friend, Minnesota Department of Health, at 612/643-3615.

## **Department of Health**

### **Interagency Long-Term Care Planning Committee**

#### **Request for Nominations for Advisory Review Panel**

Interagency Long-Term Care Planning Committee (INTERCOM) is requesting nominations to the Advisory Review Panel for reviewing proposals for exceptions to the Nursing Home Moratorium Law (*Minnesota Statutes*, section 144A.071). The Advisory Review Panel consists of five members: two representatives from organizations that represent consumers of nursing home services; two representatives from organizations representing providers of nursing home services; and one who has a background in long-term care and either accounting, engineering, building construction, or design. An advisory review panel member may serve two consecutive terms. A term on the advisory review panel begins the first working day after the vote of the INTERCOM appointing a person to the panel.

Two of the positions on the panel are for two-year terms - one represents consumers of nursing home services and one represents providers of nursing home services. These terms expire in December 1997.

A member of the advisory review panel must be nominated. Anyone can nominate an advisory review panel member. A nomination must be written, must state the name and address of the nominee, must include a description of the nominee's professional experience and training, and must state the position for which the person is being nominated. Questions may be directed to Maggie Friend, 612/643-3615, or Mary Cahill, 612/643-2156, at Minnesota Department of Health, Facility and Provider Compliance Division, P.O. Box 64900, St. Paul, Minnesota 55164-0900.

Nominations must be received no later than 4:00 p.m., Friday, November 21, 1997 by:

Linda Sutherland  
INTERCOM  
393 North Dunlap Street  
P.O. Box 64900  
St. Paul, MN 55164-0900

## Department of Human Services

### Health and Continuing Care Strategies

#### Notice of Request for Information (RFI) from Parties Interested in Developing Demonstration Projects for Alternative Contracts to Provide Comprehensive Long-term Care Services in Minnesota

The Department of Human Services (DHS) is seeking information and comments to develop up to three demonstration project models which can be tested in the future through request for proposals and contractual arrangements under the authority granted the commissioner by *Minnesota Statutes* Section 256B.434, Subdivision 16. This subdivision allows the development of contracts with nursing facilities through requests for proposals (RFP), including contracts on a risk or nonrisk basis, with nursing facilities or consortia of nursing facilities, to provide comprehensive long term care services.

The Department may utilize suggestions and recommendations from information received through this RFI in developing a Request for Proposals to solicit qualified parties for the development of alternative contracts for long term care services.

Currently one hundred-eleven nursing facilities throughout the state of Minnesota contract with DHS in accordance with other subdivisions of *Minnesota Statutes* Section 256B.434. The information gathered through this RFI will allow DHS to explore other models in the context of changes in the long term care market towards more coordinated purchasing strategies.

Specifically, DHS is seeking models that advance the following objectives:

- A. **Coordinate health care** to improve clinical outcomes, eliminate incentives for cost shifting between programs, and contain or reduce overall public costs without reducing quality of care.
- B. **Create incentives** for appropriate housing that fosters maximum consumer independence and lowest cost interventions per person.
- C. **Support a service delivery system** that allows consumers to remain in their home and local communities.
- D. **Encourage the involvement** of informal support systems and community integration.
- E. **Create service delivery mechanisms** that are compatible with existing managed care strategies including PMAP, County Based Purchasing and MSHO and which promote integration and coordination of acute and long term care services.
- F. **Encourage partnerships or joint ventures** with Medicare managed care plans, integrated acute and long term care systems, and Provider Service Organizations, as Medicare coverage options expand beyond the seven county metro area.
- G. **Promote market mechanisms** to increase value through competition.

The Department is seeking innovative ideas and recommendations for the design of a demonstration project(s) that would be developed as "Alternative Contracts."

Participants in this demonstration project could include but not be limited to:

- Nursing facilities currently participating in the Nursing Home Contract Project.
- Nursing facilities not currently participating in the Nursing Home Contract Project.
- Provider networks established to provide coordinated comprehensive services.
- Health Maintenance Organizations (HMOs) and/or Community Integrated Service Networks (CISNs).

The response to the RFI must include:

- 1) A detailed explanation of the model including a description of the services covered, the types of persons served, the service delivery structure, and the geographic area covered.
- 2) A description of how the model addresses the objectives listed in this RFI.
- 3) A description of how the system promotes innovation in the delivery of quality services and the achievement of positive outcomes.
- 4) An explanation of the consumer protection mechanisms and ways to incorporate consumers' participation in care planning.
- 5) A description of quality assurance mechanisms and an explanation of how they would be implemented.
- 6) A description of the mechanisms that will be used to coordinate health care and social services.
- 7) A description of a proposed payment system design.
- 8) A discussion of how the model may affect existing DHS programs.

- 9) A description of how the project will be evaluated and data collected.
- 10) A description of how the model will assist in positioning the health care market to implement the inclusion of 365 days of nursing home care and elderly waiver services into managed care (PMAP and County Based Purchasing).
- 11) Other issues, comments, or strategies DHS might consider.

A responders conference will be held on Wednesday, November 12, 1997, from 1:30 p.m. - 4:30 p.m. at the Sheraton Midway Hotel, Minnesota Law Room 1, St. Paul, MN. Discussion will focus on current national and state trends and issues in long term care. An overview and update on related DHS projects including PMAP, MSHO, Nursing Home Contract Project, and Project 2030 will also be presented. There will be time for questions and discussion.

Prospective responding agencies that have any questions regarding this RFI may call or write:

Allan Weinand, Project Director  
Nursing Home Contract Project  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota, 55155-3836  
Telephone (612) 297-3711 Fax: (612) 282-6859

Submit one (1) original and four (4) copies of the RFI response to:

Allan Weinand, Project Director  
Nursing Home Contract Project  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3836

All responses to this RFI are due by January 16, 1998.

**PLEASE NOTE:**

The Department may utilize suggestions and recommendations from information received through this RFI in developing a Request for Proposals to solicit qualified parties for the development of alternative contracts for long term care services. Please identify any submitted materials which meet the definition of "trade secret," as defined in *Minnesota Statutes*, Section 13.37. subdivision 1 (b).

## Department of Human Services

### Request for Information on Reorganizing the Prepaid Medical Assistance Program Ombudsman and County Prepayment Coordinators

Pursuant to *Laws of Minnesota 1997*, Chapter 203, Article 4, section 68, the Commissioner of the Department of Human Services is requesting input from interested parties about reorganizing the Prepaid Medical Assistance Program (PMAP) ombudsman and county prepayment coordinators.

Chapter 203, Article 4, section 68 states:

"The commissioner of human services shall make recommendations to the legislature by January 15, 1998, on how the ombudsperson services and prepayment coordinator services established in *Minnesota Statutes*, section 256B.69, subdivisions 20 and 21, could be reorganized to ensure that the ombudsman and county prepayment coordinator are independent of the department of human services, county authorities, health plans, or other health care providers. The commissioner must seek input from recipients, advocates, and counties in reorganizing the ombudsman and county advocate system".

The PMAP Ombudsman is designated by the commissioner to advocate for persons required to enroll in a prepaid health plan for their Medical Assistance (MA), General Assistance Medical Care (GAMC), and MinnesotaCare (MNCare) health benefits. Using the complaint and appeal procedures available through the health plan and the state, the Ombudsman assists in resolving service related problems, and ensures that medically appropriate services are provided.

## Official Notices

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The County Prepayment Coordinator is designated by the local agency to assist the state agency in implementing the PMAP and the Prepaid GAMC program. Assistance includes educating recipients about available health care options, enrolling recipients, providing necessary information to health plans and the state agency, and coordinating complaints and appeals with the Ombudsman. (NOTE: The County Prepayment Coordinator does not assist the PMAP Ombudsman with MinnesotaCare cases.)

Interested persons or groups may submit written comments about this proposed reorganization until 4:30pm on Wednesday November 5th.

**AGENCY CONTACT PERSON:**

Ginny Prasek  
Ombudsman for State Managed Health Care Programs  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3854

## Department of Labor and Industry

### Labor Standards Division

#### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective October 20, 1997, prevailing wage rates were determined and certified for commercial construction projects in the following counties:

**Hennepin:** Electronic Updates - Carlson School of Management - U of M-Minneapolis; Roof Repairs - Central Services Building - Fort Snelling-Minneapolis.

**Lac Qui Parle:** Energy Conservation Action Plan - Lac Qui Parle Valley High School-Madison.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing is \$1.36 per project. Make check or money order payable to the State of Minnesota.

Gary W. Bastian,  
Commissioner

## Department of Labor and Industry

### Labor Standards Division

#### Notice of Prevailing Wage Determinations for Commercial Construction Projects

On October 20, 1997, the commissioner determined and certified prevailing wage rates for commercial construction in each county statewide.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. The charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for any additional pages. Please note that the cost per county varies according to the number of pages per county.

Gary W. Bastian  
Commissioner

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## Department of Natural Resources

### Division of Fish and Wildlife

#### Request for Comments on Planned Rule Amendments Governing Fish and Aquatic Wildlife

*Minnesota Rules, Chapters 6212, 6252, 6254, 6256, 6258, 6260, 6262, and 6266.*

**Subject of Rule.** The Minnesota Department of Natural Resources requests comments on its planned rule amendments governing various fish and aquatic wildlife matters, specifically:

- 1) fishing contest regulations;
- 2) seasons and limits for rough fish taken by spearing, harpooning, archery, and dip nets;
- 3) various changes to sport gill netting regulations for ciscoes and whitefish, including clarifying that seasons may not be opened on lakes subject to sport gill netting, making the gill netting season on Upper Red Lake subject to opening and closing on 48 hour notice, adding one or more lakes to the gill netting season, and changing the season on Big Turtle Lake in Itasca County;
- 4) reporting requirements for various commercial enterprises, including Lake Superior fishing guides, minnow dealers, mussel harvesters, turtle sellers, and commercial fishing operators;
- 5) clarifying species of frogs regulated by the commissioner;
- 6) harvest restrictions for turtles;
- 7) harvest restrictions for mussels;
- 8) allowing temporary possession of mussels by processors;
- 9) raising the size limit for three ridge mussels;
- 10) expanding the gear types authorized under rough fish removal permits;
- 11) changes to inland commercial fishing areas;
- 12) changes to fishing regulations on that part of Pool 3 of the Mississippi River that is not on the Minnesota-Wisconsin border to make them consistent with the border water regulations;
- 13) adding East Bearskin Lake to list of lake trout lakes partially outside of the Boundary Waters Canoe Area Wilderness (BWCAW);
- 14) various changes to fishing regulations on Lake Superior and its tributaries, including harvest restrictions for unclipped rainbow trout, removing aggregate limits for stream trout, changing possession limits for brook trout and splake, and simplifying brook trout and splake seasons and size limits;
- 15) size limit and season changes for trout in inland streams;
- 16) continuous closed fishing season for the cabled area on the Knife River in Lake County;
- 17) harvest restrictions for largemouth bass and northern pike in Loon Lake in Waseca County and Ida Lake in Blue Earth County;
- 18) harvest restrictions for smallmouth bass in the Otter Tail River in Wilkin and Otter Tail counties;
- 19) opening Pleasant Lake in Ramsey County to commercial fishing for rough fish;
- 20) changing the minimum size limit for muskellunge on the Minnesota - Wisconsin border waters to 40 inches; and
- 21) reducing the possession limit for walleye in the Rainy River to two from March 1 through April 14.

**Persons Affected.** The rules may affect anglers and businesses related to angling, such as resorts, bait shops, guides, and motels. The rules may also affect commercial fishing operators, commercial turtle harvesters, commercial mussel harvesters, commercial frog harvesters, and commercial bait harvesters.

**Advisory Committee.** The department does not contemplate appointing an advisory committee to comment on the planned rule. Direct communication with interested and affected parties and public news releases will provide adequate input for the proposed rule.

## Official Notices

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**Statutory Authority.** The adoption of the rules is authorized by *Minnesota Statutes*, sections 97A.045, subds. 2 and 4; 97C.005, subd. 3; 97C.041; 97C.081, subds. 3 and 4; 97C.311, subd. 2; 97C.345, subd. 5; 97C.375; 97C.381; 97C.395, subd. 1; 97C.401, subd. 1; 97C.505, subd. 1; 97C.601, subd. 6; 97C.605, subd. 3; 97C.701, subd. 1; 97C.805, subds. 1 and 2; 97C.811, subd. 3; and 97C.815, subd. 1

**Public Comment.** Interested persons or groups are encouraged to submit comments or information on these planned rules by November 19, 1997. However, interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on December 19, 1997. The department has not yet prepared a draft of the planned rule. Written or oral comments, questions, requests to receive a draft of the rule when it has been prepared, and requests for more information on this planned rule should be addressed to:

Steve Hirsch  
Department of Natural Resources  
500 Lafayette Road, Box 12  
St. Paul, Minnesota 55155-4012  
Telephone: (612) 296-0791

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Note:** Comments submitted in response to this notice will be considered in drafting rules, but comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 10 October 1997

Rodney W. Sando, Commissioner  
Department of Natural Resources  
By Gail Lewellan, Assistant Commissioner of  
Human Resources and Legal Affairs

## Department of Public Safety

### Minnesota Auto Theft Prevention Program

#### Notice of Meeting of the Board of Directors

The Department of Public Safety, Minnesota Auto Theft Prevention Program, will be holding its Board of Directors meetings on the following dates: October 23, 1997, November 20, 1997 and December 18, 1997. Meetings will begin at 9:00 a.m. at the MATPP office located at 1110 Centre Pointe Curve, Suite 405, Mendota Heights, MN. (Hwy 110 and Lexington Ave. west of Hwy 35W - south side of the GNB Technologies Bldg.). Meetings are open to the public. For more information you may contact the MATPP office at (612/405-6155).



## Board of Water and Soil Resources

### Request for Comments on Planned Amendment to Wetland Conservation Act Rules, *Minnesota Rules*, Chapter 8420

**Subject of Rules.** The Minnesota Board of Water and Soil Resources (BWSR) requests comments on its planned amendment to the Wetland Conservation Act (WCA) Rules. The BWSR is considering a rule amendment process that will *simply convert the existing exempt (“emergency”) rules developed to incorporate the 1996 legislative changes — and which expire on June 10, 1998 — into permanent rules without any changes.* The BWSR is planning a substantive rule amendment to the WCA in later 1998 or early 1999.

**Persons Affected.** This amendment to the WCA rules will affect local governments, soil and water conservation districts, state agencies and landowners of property containing wetlands.

**Statutory Authority.** *Minnesota Statutes* sections 103B.101, Subd. 7, 103B.3355 and 103G.2242, Subd. 1 authorize the BWSR to adopt rules related to replacement of wetlands.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the BWSR intends to adopt the rules. The BWSR does not contemplate appointing an advisory committee to comment on the planned rules other than the Wetland Heritage Advisory Committee which is already in existence per *Minnesota Statute* section 103G.2242, Subd. 11.

**Rules Drafts.** The planned rules are identical to the current exempt (“emergency”) rules currently in use as *Minnesota Rules* Chapter 8420. Copies of this rule are available at Minnesota’s Bookstore, 117 University Avenue, St. Paul, MN 55155. The phone numbers for Minnesota’s Bookstore are metro: (612) 297-3000, MN toll-free 1-800-657-3757, and TTY metro: (612) 282-5077, MN toll-free: 1-800-657-3706.

**Agency Contact Person.** Written comments, questions and requests for more information on these planned rules should be addressed to: John Jaschke, MN BWSR, 1 West Water Street, Suite 200, St. Paul, MN 55107, phone (612) 297-3432.

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Note:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 13 October 1997

Ronald D. Harnack, Executive Director  
Board of Water and Soil Resources

# State Grants & Loans

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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.

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## Department of Public Safety

### Minnesota Auto Theft Prevention Program

#### Notice of Grant Availability for Auto Theft Prevention Programs for Government Units and Local Business and Community Organizations

The Minnesota Auto Theft Prevention Program Board announces the availability of \$1,865,000.00 in grant money. Applications will be accepted from State, County, Local Police Departments, Governmental Agencies, Prosecutors, Judiciary, Businesses, Community and Neighborhood Organizations. Money granted through this program must be dedicated to the area of auto theft. Grant application packets may be obtained by contacting Dennis Roske at the Auto Theft Prevention Office at (612/405-6153 or 405-6155). To be considered, applications must be received in the MATPP office in Mendota Heights by 4:30 p.m. on December 31, 1997.

## Department of Public Safety

### Notice of Availability of Funds for Public Safety Initiatives

The Minnesota Department of Public Safety announces the availability of State Omnibus Crime Act of 1997 (Chapter 239) funds to reimburse local government units that have incurred costs implementing the Community Notification for Released Sex Offenders under *Minnesota Statutes* 244.052 or 244.10, Subd. 2(a).

A total of \$250,000 is available for these initiatives. Of this amount, up to \$40,000 may be used for educational equipment and training to be used for sex offender notification meetings by law enforcement agencies around the state. Grants are awarded on a cost reimbursement basis.

Applicants should apply as costs are incurred. Funds are available for costs incurred from July 1, 1997 through June 30, 1999. The amount of the grant will be determined by the budget submitted. Grants will be awarded based on the greatest need. The following reimbursement scheme will be used to determine actual grant amount:

Level 3 Offender Notification = Actual expenses up to \$2,500 per notification.

Level 2 Offender Notification = Actual expenses up to \$500 per notification.

Level 1 Offender Notification = No grants awarded.

Response deadlines are: June 30, 1998 for Fiscal Year 1998 funds and June 30, 1999, for Fiscal Year 1999 funds. To receive a request for proposal and application contact:

Minnesota Department of Public Safety  
Attn. Rosalind R. Sullivan, Grants Coordinator  
445 Minnesota Street  
Suite 1000  
North Central Life Tower  
St. Paul, MN 55101-2128  
Telephone: (612) 297-1697  
TTY: (612) 282-6555

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# Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, and final submission date of completed contract proposal.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TTY (612) 297-5353 and ask for 296-2600].

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## Department of Administration

### Building Codes and Standards Division

#### Notice of Request for Proposals to Provide Program Coordination and Management Services for Seven State Building Code Manufactured Home Seminars

**I. NOTICE IS HEREBY GIVEN** that proposals are being solicited to provide program coordination and management services for seven (7) state building code manufactured home seminars for the spring of 1998. The seminars will be presented in the following Minnesota locations in March and April, two (2) eight (8) hour seminars per week: Austin, St. Cloud, Burnsville, Duluth, Bemidji, Marshall, Maplewood. This request for proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

#### **II. Division goals and objectives**

The goal and objective of the Building Code seminars is to provide education and training for manufactured home manufacturers, dealers, installers, building officials and other interested persons so that they are up-to-date on the subject of the Minnesota State Building Code and *Code of Federal Regulations* for Manufactured Homes.

#### **III. Tasks**

A. Provide overall coordination of programs.

1. Handle all advance facility arrangements. Hotels must be accessible for the disabled with free parking and available lodging for staff at Austin, St. Cloud, Duluth, Bemidji and Marshall. Lunch and three (3) refreshment breaks (two (2) a.m., one (1) p.m.) will be provided at each site.
2. Provide materials for on-site registration for all programs. Verify room set-up to comply with standard floor plan.
3. Communicate on an ongoing basis with designated contact at Building Codes and Standards Division.
4. Act as fiscal agent, monitor budget and pay all invoices.
5. Prepare final financial report and final invoice to Building Codes and Standards Division.
6. Curriculum materials will be developed by Building Codes and Standards Division staff and originals provided to contractor for reproduction at least three (3) weeks before the first program. It is understood that such materials will not exceed 100 pages (single-sided spiral bound) plus an evaluation form (double-sided single sheet) and a final registration list (varying lengths for each site).
7. Arrange for printing of handout materials and participant certificates. Produce and print 1,200 registrations brochures and mail approximately 1,000 brochures per seminar series, based on copy provided by Building Codes and Standards Division. The cost of printing and postage which is part of the contract. The contractor must comply with *Minnesota Statutes* Sections 16B.121 - 125, for the purchase of printing, paper stock, and printing ink. The contractor must ensure that all subcontractors comply with this requirement.
  - a) Assemble instructional materials for each participant per seminar series. (single-sided spiral bound)
  - b) Prepare certificates of attendance for each participant (to be mailed by Building Codes and Standards Division after each seminar has been completed).
8. Receive and confirm up to 500 registrations per seminar series. Registrations must be paid in advance. Checks will be made payable to the contractor. Maximum attendance per site will vary between 40 and 60 (with maximum registration per site to be determined by division staff). Total attendance not to exceed 500.
  - a) Prepare registration list for each site.
  - b) Prepare computerized name-tags for all participants.
  - c) Prepare and mail confirmation cards for each registered participant 10 days prior to each seminar series. The cost of printing and postage is part of the contract.
  - d) Provide final complete registration list for all sites for Building Codes and Standards Division

## Professional, Technical & Consulting Contracts

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9. If any seminars fill, contact additional registrants to move them to a different site. Transfers of registrations between sites will be accepted up to 48 hours before the two affected programs.
10. A signer for the hearing impaired may be required at some seminar sites. The proposal must include a not to exceed cost per site to have the required qualified persons provide signing. The cost of providing the signers will be in addition to the contract.

Responders may propose additional tasks or activities if they will substantially improve the results of the project.

### IV. Payment schedule:

This department has estimated that the cost of this project should not exceed \$10,000.

Payment will be made after the completion of the last seminar.

Invoice must be submitted to the Building Codes and Standards Division within 30 days after completion of the seminar series.

The contract will be completed by **June 1, 1998**.

### V. Proposal Deadline and Contact:

Responses to the request are due in our office by **4:00 p.m. on November 21, 1997**. **LATE PROPOSALS WILL NOT BE ACCEPTED** and will be returned unopened to the sender.

Prospective responders who have any questions or are interested in viewing samples of the workbook, slides, etc. regarding this request for proposals should be addressed to:

Peggi White, Office Services Supervisor  
Attn: RFP Response  
Building Codes and Standards division  
408 Metro Square Building  
171 East 7th Place  
St. Paul, MN 55101  
TTY/TDD Local (612) 297-5353  
TTY/TDD Toll Free (800) 627-3529

Other department personnel are **NOT** allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

All proposals will be sent to and received by:

Building Codes and Standards Division  
Peggi White, Office Services Supervisor  
**Attn: RFP RESPONSE**  
408 Metro Square Building  
171 7th Place East  
St. Paul, MN 55101

All proposals **MUST BE** received no later than **4:00 p.m. on November 21, 1997** with time and date stamped on your proposal envelope by our front desk. **LATE PROPOSALS WILL NOT BE ACCEPTED.**

- A. Proposals must be typed on 8-1/2 x 11" paper. Please submit original and three (3) copies of original, two-sided copied.
- B. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside.
- C. Each copy of the proposals must be signed, in blue ink, by an authorized member of the firm.

### VI. Proposal contents

The following shall be considered minimum contents of the proposal.

- A. A statement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of this project.
- B. A detailed work plan of the tasks to be accomplished, including a schedule of deliverable services.
  1. See Tasks in III above. Proposal **MUST** include names, addresses for hotels in each seminar location.
- C. An outline of the responder's background and experience with particular emphasis on local, state and federal government work. Identification of personnel to conduct the project, with detail on training and work experience. Two (2) verifiable references from previous customers. No change in personnel assigned to the project will be permitted without the approval of the state project manager.

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## Professional, Technical & Consulting Contracts

D. Total cost per seminar series for 1998 (7 one day seminars).

Understanding that the total cost for each seminar series paid by the Building Codes and Standards Division is less the registration fees paid by attendees. A final financial report must be submitted to the Building Codes and Standards Division within 30 days of the last seminar in each series. The invoice shall itemize expenses and state number of attendees and total registration fees received.

### VII. Building Codes and Standards Division responsibilities

- A. Provide brochure and certificate copy/format.
- B. Provide mailing label format for brochures.

**VIII. All proposals received by the deadline will be evaluated** by representatives of the Building Codes and Standards Division. In some instances, an interview may be part of the evaluation process. Factors and weighing on which proposals will be judged include the following 100 point scale:

- |  |     |
|--|-----|
| A. Expressed understanding of proposal objectives                        | 10% |
| B. Work plan (see III. Tasks)  | 40% |
| C. Cost detail   | 20% |
| D. Qualifications/experience company                                     | 5%  |
| E. Qualification/experience of personnel who are to work on the contract | 25% |

The successful responder will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

The state's contract language includes the following terms and conditions (summarized here) which you should be aware of in preparing your response.

1. Compensation will be for **ALL** services performed, unless a specific payment scheduled is mutually agreed upon. The state **DOES NOT** make regular payments based on the passage of time, it only pays for services performed or work delivered **AFTER** it is accomplished.
2. Payment is only made after the submission of an authorized invoice to the state, and the state must pay its invoices within 30 days of receipt, unless they are formally contested.
3. Reimbursement for travel and subsistence expenses actually incurred in performance of a contract is limited to the current Nonmanagerial Unrepresented Employees Plan promulgated by the commissioner of Employee Relations. Travel outside of Minnesota must have received **PRIOR** written approval of the state contact **BEFORE** it takes place.
4. No more than 90 percent of the full amount due under a contract may be paid until the final product(s) of the contract have been reviewed by the agency head, and the agency head has determined that the contractor has satisfactorily fulfilled all the terms of the contract.

It is expected that evaluation and selection will be completed by December 15, 1997.

In accordance with *Minnesota Rules* Part 1230.1910, certified targeted group businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to a 6 percent preference in the evaluation of their proposals, and certified economically disadvantaged businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 4 percent preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline, 612-296-2600 (voice) or 612-282-5799 (TTY).

# Professional, Technical & Consulting Contracts

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## Department of Administration

### State Designer Selection Board

#### Request for Proposals for a Department of Indian Affairs Council

##### To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for these projects must deliver proposals on or before 4:00 p.m., Monday, November 3, 1997, to:

Audrey Clasemann, Executive Secretary  
State Designer Selection Board  
Department of Administration  
50 Sherburne Avenue, Room G-10  
St. Paul, Minnesota 55155-3000  
Phone: (612) 296-4655

The proposals must conform to the following:

1. **Eight (8) copies of the proposal will be required plus one additional unbound copy in black and white for micro fiche purposes only.**
2. All data must be on 8½" x 11" sheets, soft bound. No more than 20 printed faces will be allowed (see the following bullet points for clarification).
  - **Any letters directed to the Board shall be bound into the proposal and all pages will be counted as printed face(s).** It is not necessary to do a cover letter to Audrey Clasemann.
  - **Blank dividers (with printed tab headings only) are not counted as faces.**
  - Front and back covers of proposals are not counted as faces.
  - **None of the statutory, mandatory, or optional information, except as required in 3) below, shall appear on the dividers or covers.**
3. **The front cover of the proposal must be clearly labeled with the project number, as listed below, together with the designer's firm name, address, telephone number, fax number, and the name of the contact person. The back cover shall remain blank.**
4. **Brief Proposal Summary:**

All proposals shall begin with a summary which includes **only** the following items:

- a. Name of firm and its legal status;
- b. **Names of the persons responsible for the management, design, and production of each major element of the work, including consultants, as well as Minnesota registration numbers for all (e.g., architects, civil/electrical/mechanical/structural engineers, landscape architects, land surveyors, and geotechnical);**
- c. The proposal shall contain a statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter the work promptly, if selected, by engaging the consultants and assigning the persons named in 4.b above, along with adequate staff to meet the requirements of work;
- e. **A list of State and University of Minnesota current and past projects and studies awarded to the prime firms(s) submitting this proposal during the four years immediately preceding the date of this request for proposal. For the purposes of this list, "awarded" shall mean you have been selected for a given project regardless of the status of the contract.**

The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above.

- f. In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000, all responders having more than 20 full-time employees anywhere in the United States at any time during the previous 12 months, must have an affirmative action plan **approved by the Commissioner of Human Rights before a proposal may be submitted**; therefore, the proposal shall include one of the following:

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## Professional, Technical & Consulting Contracts

- 1) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- 2) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- 3) **A statement certifying that the firm has not had a cumulative total of more than 20 full-time employees at any time during the previous 12 months, anywhere in the United States. Any questions regarding this topic may be directed to the Department of Human Rights, (612) 296-5663 Phone & (612) 296-9042 Fax.**

### 5. Additional Mandatory Proposal Contents:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material must be identified. It must be work in which the personnel listed in 4 b) above have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.
  - b. Expanded resumes showing qualification of individuals, listed in 4(b) above, administering or producing the major elements of the work, including consultants. Identify roles that such persons played in projects which are relevant to the project at hand.
  - c. A discussion of the firm's understanding of and approach to the project.
  - d. A listing of relevant past projects.
6. Design firms wishing to have their proposals returned after the Board's review, must follow one of the following procedures:
- a. Enclose a *self-addressed stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
  - b. Enclose a *self-addressed stamped* mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statutes, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures or their schedule for the projects herein described may be referred to Audrey Clasemann at (612) 296-4656.

### PROJECT 4-97

**Battle Point Historic Site  
Minnesota Indian Affairs Council  
Leech Lake Tribal Council  
Cass Lake, Minnesota**

#### 1. PROJECT DESCRIPTION:

The project consists of a Museum Interpretive Center and furnishings (approximately 15,000 square feet) which will include 3,800 square feet exhibit space, 3,000 square feet meeting area, classrooms, staff area, storage catalog space, kitchen, toilets, receiving, and desk control space. Over 4,700 linear feet of interpretive trail and Burial Ground Protection with site amenities and development is required which will indicate Battle Site, Outdoor Interpretive Displays, and miscellaneous site development including access road, drives, parking lot, signage and site utilities.

#### 2. REQUIRED CONSULTANT SERVICES:

Full Architectural/Engineering schematic, design development, construction documents and full construction administration services will be required. Some work will be required to resubmit the Predesign program. It is helpful if the Architects have prior experience with the Leech Lake Tribal Council, interpretive centers and/or should have applicable understanding of the unique experience of dealing with sacred burial grounds.

#### 3. PROJECT SCHEDULE:

Site development plan was completed in 1990. Project is pending full appropriation of \$3,000,000 from the 1998 Legislature. If these funds are made available, drawings would begin immediately for construction to begin in 1998 for full operational status by 1999.

## Professional, Technical & Consulting Contracts

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### 4. PROJECT INFORMATION MEETING AND BUILDING TOUR:

Site visit will be held Wednesday, October 29, 1997, at 1:00 p.m. with the Leech Lake Tribal Council. All attendees should meet at the Che-we Restaurant. Directions: take highway 371 to Walker, Minnesota, to Highway 2. Make a right hand turn. Go to stop light. Make a left hand turn and quickly make a right. The Restaurant is between the stop light and the caution light.

### 5. PROJECT CONTACT:

Questions concerning the project should be referred to:

Joseph B. Day, Executive Director  
Minnesota Indian Affairs Council  
1819 Bemidji, MN 56601  
Phone: (218) 755-3825  
Fax: (218) 755-3739

Mary Goggeye, Planning Director  
Leech Lake Reservation Tribal Contact  
RR 3, Box 100  
Cass Lake, MN 56633  
Phone: (218) 335-2800  
Fax: (218) 335-8309

Sally Grans, Project Manager  
Division of State Building Construction  
G-10 Administration Building  
50 Sherburne Avenue  
St. Paul, MN 55155  
Phone: (612) 297-3455  
Fax: (612) 296-7650

### 6. STATE DESIGNER BOARD SCHEDULE:

Project On-Site Review: Wednesday, October 29, 1997, at 1:00 p.m., meet at  
Che-we Restaurant off Highway 2 in Cass Lake

Proposal Due: Monday, November 3, 1997, by 4:00 p.m.

Project Short List: Monday, November 17, 1997

Project Interviews & Award: Tuesday, December 2, 1997

**Questions regarding the RFP or requests for a copy of the acceptable Fee Format should be directed to Audrey Clasmann, (612) 296-4656.**

## State Arts Board

### Public Notice of Request for Proposals for Financial Consultant, Formula Funds Program

**NOTICE IS HEREBY GIVEN** that the Minnesota State Arts Board is soliciting proposals from firms or individuals for a certified public accountant who can conduct a financial analysis and verify annual and three-year operating expenses for arts organization applications to its Formula Funds Program.

**Purpose:** To review approximately 90 Formula Funds applications, including audits, in order to verify annual operating expenses, and to complete a Microsoft Excel table and written report outlining the financial status of each applicant. Successful candidates will have excellent written and oral communication ability, demonstrated experience in the financial analysis of nonprofit institutions, experience working in Microsoft Excel, and preferably, a working knowledge of the arts.

**Contract Dates:** The services will be provided under a contract for the period beginning December 19, 1997 and ending February 6, 1998.

**Contract Amount:** The contract will be limited to less than \$9,000.

**Disclaimer:** This request does not obligate the Minnesota State Arts Board to complete the work contemplated in this notice and Request for Proposals (RFP). The Arts Board reserves the right to cancel this solicitation and reissue the RFP.

**For More Information or To Receive a Copy of the RFP:** Call James Dusso at 612-215-1600 or 800-866-2787 or TTY 612-215-6235.

**Deadline Date:** Completed proposals must be received by 4:30 p.m. Monday, November 3, 1997, in the office of the Minnesota State Arts Board.

**Submittal Address:** James Dusso, Assistant Director, Minnesota State Arts Board, 400 Sibley Street, Suite 200, Saint Paul, MN 55101.



## Department of Employee Relations

### Request for Proposals for Actuarial and Consulting Services

The Minnesota Department of Employee Relations (DOER) is soliciting proposals from qualified vendors to provide DOER with assistance in the design and administration of employee insurance benefits, including analysis and consultation in the areas of cost estimation, rating methods, coverage levels, risk pool structures, evaluation of current programs, strategic planning, and other issues related to the administration of insurance benefits and workers' compensation. These services must comply with all applicable laws and administrative rules governing the operation of the State of Minnesota Employees Group Insurance Program (SEGIP), the Public Employees Insurance Plan, the state's self-insured Workers' Compensation Program, and all specifications stated in the RFP. A complete statement of the State's requirements and other terms and conditions governing this RFP may be obtained by contacting:

Mary Regnier, Contracts Manager  
Employee Insurance Division  
Minnesota Department of Employee Relations  
200 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155  
Phone: (612) 282-5094  
Fax: (612) 296-5445  
E-mail: mary.regnier@state.mn.us

All proposals must be received by DOER by 3:00 p.m., on Monday, November 17, 1997. Five copies of the proposal must be submitted in a sealed mailing envelope or package with vendor's name and address written on the outside, and with evidence of the vendor's compliance with the Minnesota Human Rights Act attached to the envelope or package.

## Department of Health

### Division of Family Health, Section of Children with Special Health Care Needs

### Request for Proposals for Conference Management Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health, Division of Family Health, Section of Minnesota Children with Special Health Care Needs is releasing a Request for Proposals for conference management services for a Managed Care and Children with Special Health Care Needs Conference. The services will include planning, administering, and evaluating a conference aimed at a broad array of health care professionals and administrators from both the public and private sectors, as well as state legislators and policy makers. The proposed conference is scheduled for spring 1998 in the metro area and is expected to attract approximately 150 participants.

The responsibilities of the contractor include but are not limited to: staffing a planning committee which develops program content, corresponding and making all arrangements with presenters, making all arrangements with the conference facility, conducting and overseeing the registration process, developing and mailing all promotional materials and other correspondence, maintaining records of all income and expenses associated with the conference, developing an evaluation process, submitting a final report, and ensuring the conference support services run smoothly.

The contract with the Minnesota Department of Health will be from November 30, 1997 to September 30, 1998. Contract costs shall not exceed \$20,000. Proposers shall be rated on: the level of experience of both the organization and staff; clarity and completeness of the proposed work plan and conference budget, clarity and appeal of sample conference brochure/programs and sample correspondence with speakers; and creativity in proposing ways to achieve the objectives of the conference.

The proposal deadline is 4:00 p.m. **November 10, 1997**. For information or to obtain a complete copy of the RFP contact:

Ann O'Fallon, Project ACCORD Coordinator  
Minnesota Department of Health  
717 Delaware St. S.E.  
Minneapolis, MN 55414-9440  
Telephone: 612/623-5185 Fax: 612/623-5442

## Professional, Technical & Consulting Contracts

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### Iron Range Resources and Rehabilitation Board

#### Request for Proposals for Ironworld USA Food and Beverage Service

Ironworld Discovery Center operating through the IRON RANGE RESOURCES AND REHABILITATION BOARD (IRRRB) is requesting proposals from experienced food/beverage operators to provide or **manage on behalf of Ironworld Discovery Center**, comprehensive food, beer and wine services for the clientele of Ironworld Discovery Center located in Chisholm, Minnesota. The dates of service are anticipated to be January 1, 1998 through December 31, 1998. This contract may be renewed for up to four additional one year terms.

To receive a full request for proposal write or call:

Mailing Address: Marlene Pospeck  
Ironworld Discovery Center  
P.O. Box 392, Hwy 169  
Chisholm, MN 55719  
Phone: (218) 254-3321

Proposals are due at 3:00 P.M. November 17, 1997.

## Department of Trade and Economic Development

### Minnesota Office of Tourism

#### Request for Proposals for Development & Hosting of Tourism Web Site

**NOTICE IS HEREBY GIVEN** that the Minnesota Office of Tourism (MOT), is seeking proposals for development and hosting of the Minnesota travel information service on the World Wide Web. The MOT is specifically looking for proposals with creative, entrepreneurial approaches to making the current site (<http://www.exploreminnesota.com>) more effective and economically sound as a public service, and more profitable as a business venture. The contract will run from January 1, 1998 through December 31, 1998, and may include one-year renewal options through December 31, 2002.

The amount budgeted for this project is \$50,000, although the amount paid by the MOT may be offset by additional revenue sources or revenue sharing, based on proposal.

Written proposals will be evaluated by a review committee. Two or more of the highest scoring proposers will be invited to make oral presentations to the review committee. To receive a request for proposal and background information, please call or write:

James Riemermann  
Minnesota Office of Tourism  
500 Metro Square, 121 Seventh Place East  
Saint Paul, MN 55101-2146  
612/297-2077 (voice)  
612/296-7095 (fax)

**NOTE:** No other Minnesota Office of Tourism personnel are authorized to discuss this contract or request for proposals.

The proposal deadline is 4 p.m., November 17, 1997. Proposals received after the deadline will not be considered.

## Department of Transportation

### Metro Division

#### Notice of Availability of a Contract for Organizational Development Services

The Minnesota Department of Transportation, Metro Division, is soliciting qualified consultants to provide organization development consulting for the Metro Division staff and management team. Assistance is being sought for guiding organizational change initiatives for the Metro Division through an overall leadership framework. The primary tasks include:

- Provide process consultation to Division Staff regarding the continuing change process of the Metro Division and consolidation of services.
- Provide consultation for integrating the Metro strategic planning process, business planning, quality improvement, and other change initiatives affecting the Metro organization.
- Provide consultation for the Metro Leadership Team strategic planning efforts to include assistance with environmental scanning and leadership development activities.
- Provide facilitation and consultation to the Metro Management Team on Metro organizational issues on an "as needed" basis to include such things as role-clarification, team building, process for management accountability, etc.

The department estimates that the cost of this project need not approach but shall not exceed \$50,000 (fifty thousand dollars). It is anticipated that the contract period will begin approximately January 1, 1998 and continue through December 31, 1999.

For further information, or to obtain a copy of the complete Request for Proposal, contact:

Richard Stehr, Director  
Office of Program Delivery  
Minnesota Department of Transportation  
Metro Division  
1500 W. County Road B2  
Roseville, MN 55113-3174  
Phone: 612-582-1360  
Fax: 612-582-1166

The proposals must be reviewed at the above address no later than 4:00 p.m. on November 10, 1997.

Six copies of the proposal are to be submitted to the above listed contact name. Reliance on mail or public carriers is at the proposer's risk. Late proposals will not be considered and will be returned opened to the proposers. The outside mailing envelope must clearly identify the title and nature of the proposal contained within.

Proposals must be signed, in ink, by the authorized member of the firm submitting the proposal. This request does not obligate the Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

## Department of Transportation

#### Notice of Request for Proposals for Third Party Purchaser of Employee Homes

The State of Minnesota (hereinafter "State") is accepting proposals for a third party purchaser of homes of state employees (hereinafter "Employee") who are relocating from depressed housing markets to different work locations within Minnesota.

##### Goal

The State of Minnesota has the need to relocate transferred or promoted Employees to different areas within Minnesota. Occasionally such relocations are from "depressed housing markets" which are defined by considering factors such as: price bracket of the home (compared to local demand), mortgage interest rate level and peculiarities of local economy. The State sees a positive benefit in relieving the relocating Employee of the continued burden of selling the home in a depressed housing market. The Employee is able to begin the new job without being concerned about selling the home.

## Professional, Technical & Consulting Contracts

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### Objective

The State is seeking a contractor (hereinafter "Provider") who can perform the following services.

The request for proposal does not obligate the State to complete the proposed project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interests.

### Services to be Provided

Provider shall offer the home purchase service to an Employee who owns a one or two family house, condominium or cooperative apartment which is the principal residence of the Employee and has a lot size typical for the area.

The Provider shall establish the fair market value of the property by obtaining at least two appraisals of the value of the Employee's property. Fair market value is the price expected if a reasonable time is allowed to find a purchaser and if both seller and prospective purchaser are fully informed.

Provider shall offer as the purchase price for the Employee's property, the average of the two appraisals. If the lower appraisal varies by more than 10% from the higher, or if Provider, with the written concurrence of the State, wishes to disregard an appraisal with a valuation which it considers to be unsupportable, Provider will select a third appraiser and the two closest appraisals shall be averaged to determine the purchase price.

If the Employee requests funds for a down payment or deposit on a home at the new location prior to the closing, Provider will advance up to 95% of the estimated equity, as needed after Provider has received the signed contract of sale. Equity is the difference between the purchase price and the balance of liens outstanding against the property. The balance of the equity will be paid on the date of closing as defined in the contract of sale with the Employee.

Provider shall be responsible for the property from the date the Employee accepts Provider's offer or vacates the property, whichever is later, to the date it conveys title of the property to an eventual purchaser.

Provider shall be responsible for conducting a title search on the Property.

Beginning with the date Provider becomes responsible for the property and until a marketable title to the property is transferred to the eventual buyer, Provider shall:

- a. Make all mortgage payments on account of mortgages affecting the property.
- b. Provider may purchase the property subject to the existing mortgage and make the payments thereon, or may elect to pay in full or part any such existing indebtedness. Provider may resell the property subject to said mortgage if in Provider's judgment it becomes necessary to do so in order to effect a sale within a reasonable time. If, upon resale of the property Provider permits the existing loan to be assumed by the buyer, Provider will indemnify the Employee against any loss resulting from said assumption including, specifically, but not by way of limitation, a suit by a mortgagee against an Employee upon the mortgage note. It is further specifically agreed that if any of the transfers contemplated by this paragraph are in default of a due on sale clause in such mortgage, Provider shall indemnify and hold harmless the Employee and, if necessary to protect said Employee's interests, Provider shall pay said mortgage in full. Provider further agrees to pay off an existing FHA or VA mortgage if required to enable the Employee to obtain FHA or VA loan on the home being purchased at the new location. Notwithstanding anything to the contrary contained herein, it is specifically agreed that in all sales contemplated by this agreement, passage of title to the ultimate purchaser shall be through Provider.
- c. Pay all taxes, charges, assessments and utility costs.
- d. Keep the property neat and in good repair or redecorate the property where desirable, in the opinion of Provider, to maintain or improve marketability of the property, provided aggregate expenditures do not exceed 1% of the purchase price without the written concurrence of the State.
- e. Keep the surrounding lawn neat and free from debris and remove snow from sidewalks to permit access by potential buyers and to comply with local ordinances.
- f. Provide comprehensive public liability and fire and extended coverage insurance in an amount equal to the fair market value of the property. The fire and extended coverage insurance will provide for a deductible of \$1,000 and, if such fire and extended coverage is not carried, Provider will assume responsibility for any loss that exceeds \$1,000 with respect to any loss occurring on or after the date of closing with the Employee.

Upon receipt by Provider of the contract of sale, executed by the Employee, the property shall be listed for sale with a real estate broker or brokers selected by Provider. Provider shall be free at all times to accept any reasonable offer which it deems satisfactory under prevailing market conditions, provided however, in the event the resale price is less than 95% of the purchase price (including net of discount points and other financing concessions), Provider will not accept the offer without the written concurrence of the State, it being understood that such concurrence will not be unreasonably withheld.

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## Professional, Technical & Consulting Contracts

Provider will pay all reasonable costs connected with the resale of each property, together with any loan discount fee which it may have to pay to secure financing for a buyer. The loan discount fee shall not exceed the amount which Provider, with the concurrence of the State, determines is reasonable for the area.

If the Employee, during a 30-day acceptance period and prior to accepting the contract of sale, enters into a bona fide sales agreement to sell the property to a third party at a price equal to, or higher than, Provider's offered purchase price, and if the terms of the third party agreement are consistent with Provider's contract of sale, the Employee may submit and assign the sales agreement and any security deposit thereunder to Provider together with the signed contract of sale and the amendment to the contract of sale.

Provider shall accept assignment of that third party agreement and revise its offered purchase price subject to the closing by Provider with the third party. Provider shall exert its best effort to consummate the sale negotiated by the Employee. Provider shall not, however, be obligated to accept an assignment of a contract of sale, which provides for a closing date more than 60 days after the date of the assignment, or a contract contingent upon the sale of another property, without the State's written concurrence.

The difference in the original offered purchase price and the assigned sale price (less any mortgage discount points, repairs, or other concessions agreed to by the Employee as part of the third party sales agreement or other charges not allowed under the State's relocation policy) will be paid to the Employee following the closing of the sale to the third party. If, for any reason, the assigned sale does not close, the price paid to the Employee shall be the original purchase price offered by Provider and all parties shall be relieved from further liability under the terms of the amendment to the contract for sale and shall remain bound only by the contract of sale.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

All proposals received by the deadline will be evaluated by representatives of the State. In some instances, an interview may be part of the evaluation process. A 100-point scale will be used to create the final evaluation recommendation.

Factors and weighting on which proposals will be judged are:

1. Expressed understanding of project objectives. 10%
2. Project work plan. 40%
3. Project cost detail. 20%
4. Qualifications of both the company and personnel.  
Experience of project personnel will be given  
greater weight than that of the company. 30%

It is anticipated that the evaluation and selection will be completed by December 15, 1997.

The successful responder will be required to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.

The State's contract language includes the following terms and conditions (summarized here) which you should be aware of in preparing your response.

- (1) Compensation will be for ALL services performed, unless a specific payment schedule is mutually agreed upon. (The State DOES NOT make regular payments based on the passage of time. It only pays for services performed or work delivered AFTER it is accomplished.)
- (2) Payment is only made after the submission of an authorized invoice to the state.
- (3) Reimbursement for travel and subsistence expenses actually incurred in performance of a contract is limited to the current "Commissioner's Plan" promulgated by the Commissioner of Employee Relations.
- (4) No more than 90 percent of the full amount due under a contract may be paid until the final product(s) of the contract have been reviewed by the agency head, and the agency head has determined that the Provider has satisfactorily fulfilled all the terms of the contract.

It is anticipated that the contract will begin by February 1, 1998, and continue through January 31, 2000. The contract may be extended for up to two additional years. It is estimated that between 5-10 homes per year would be involved. The compensation limit for time and expenses during the contract period will not exceed \$500,000 for the 2 years. Payments will be made monthly for services provided. Services are to be provided to State Employees at various work sites. If two or more qualified applicants wish to submit a combined proposal they may do so provided the total contract amount will not exceed \$500,000. The selected Provider will not be in an employment relationship with Mn/DOT and will be an independent contractor on a fee basis.

## Professional, Technical & Consulting Contracts

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Prospective responders who have any questions regarding this request for proposal may call or write:

Jim McKane  
Office of Human Resources  
Minnesota Department of Transportation  
Mail Stop 200  
395 John Ireland Boulevard  
St. Paul, MN 55155  
Telephone: (612) 296-7875

Other Mn/DOT personnel are NOT allowed to discuss the request for proposal with responders before the proposal submission deadline.

Proposals must be received at the above address no later than 2:00 p.m. on November 17, 1997, and will be date/time stamped. Late proposals will not be accepted.

In compliance with *Minnesota Statutes* § 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Submit three copies of the proposal and one set of work samples. 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. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

Only one Provider will be selected to receive a contract.

The following will be considered minimum contents of the proposal:

1. A statement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of the contract.
2. A description of the monthly/annual reports to be provided by the responder.
3. An outline of the responder's background and experience, and examples of similar work done by the responder and a list of personnel who will conduct the project, detailing their training, work experience, and hourly fees. No change in personnel assigned will be permitted without the approval of the State.
4. Identification of the level of the State's participation in the contract, as well as any other services to be provided by the State and details of cost allowances for this participation.
5. Work Plan.

### Human Rights Certification

Under the Minnesota Human Rights Act, *Minnesota Statutes* Section 363.073, businesses having had more than 40 full-time employees, within or outside the state of Minnesota, on a single working day during the previous 12 months must have submitted an affirmative action plan to the Department of Human Rights prior to the closing date set in the RFP or amendment (which ever is later) on any proposal that is in excess of \$100,000.00. The business must have a Certificate of Compliance from the Minnesota Department of Human Rights prior to the execution of the contract or agreement. In all cases, Mn/DOT reserves the right to contract with the next acceptable proposer, if the business does not have a Certificate of Compliance from the Minnesota Department of Human Rights by the award date. For further information, contact the Department of Human Rights, 190 East 5th Street, Suite 700, St. Paul, MN 55101, (612) 296-5663.

To facilitate Mn/DOT's review, provide one of the following:

- A. A copy of the business' current Certificate of Compliance from the Minnesota Department of Human Rights.  
OR
- B. A letter of affidavit certifying the business has submitted an affirmative action plan to the Commissioner of Human Rights. The business must have a Certificate of Compliance before a contract can be executed. In all cases Mn/DOT reserves the right to contract with the next acceptable proposer, if the business does not have a Certificate of Compliance from the Minnesota Department of Human Rights by the award date.  
OR
- C. A letter of affidavit certifying that the business has not had more than 40 full-time employees, within or outside the state of Minnesota, on a single working day during the previous 12 months.

### Welfare Hiring by Contractors

To receive the contract under this RFP, the selected contractor must provide to Mn/DOT a statement that the contractor will attempt to recruit Minnesota Welfare recipients to fill vacancies in entry level positions, if the company has entry level employees in Minnesota.

Welfare Hiring by Contractors is only applicable to:

1. The extent practical and to the extent consistent with the business needs of the state of Minnesota,
2. Contracts entered into during the state biennium ending June 30, 1999, and
3. Contracts subject to *Minnesota Statutes* Section 363.073, Minnesota Human Rights statute.

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## 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 *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 project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

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## Metropolitan Council

### Public Notice of Request for Proposals for Contractors to Produce Digital Orthophotography

**NOTICE IS HEREBY GIVEN** that the Metropolitan Council Research and Policy Development Division's Geographic Information Systems (GIS) group is soliciting proposals from aerial photography and photogrammetric contractors to produce digital orthophotography.

**Purpose:** The Metropolitan Council GIS has scanned digital TIFF images from aerial photography taken in the spring of 1997. The Council requires the production of digital orthophotography in USGS quarter quadrangle format, delivered on CD-ROM using these images, a Digital Elevation Model (DEM), the camera calibration reports, and some airborne GPS data.

**Proposal Submission Date:** Completed proposals must be received by 4 p.m., Friday, November 7, 1997, in the offices of the Metropolitan Council.

**Disclaimer:** This request does not obligate the Metropolitan Council to complete the work contemplated in this notice and Request for Proposals (RFP). The Metropolitan Council reserves the right to cancel this solicitation and reissue the RFP. All expenses incurred in responding to this notice and the RFP are the responsibility of and will be borne by the responding parties.

**For More Information or To Receive a Copy of the RFP:** Call Tanya Mayer, Project Manager, at 612/602-1604 or TTY 612/291-0904 or via e-mail tanya.mayer@metc.state.mn.us

**Submittal Address:** Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101-1634, Attention Tanya Mayer, Project Manager.

## Non-State Public Bids, Contracts & Grants

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### Metropolitan Council Environmental Services

#### Public Notice for Letters of Interest for Professional Services

**NOTICE IS HEREBY GIVEN** that the Metropolitan Council Environmental Services (MCES) is soliciting proposals for professional services for Risk Management Plans in accordance with the Clean Air Act Section 112(r), for 9 wastewater treatment plants (Metro, Seneca, Blue Lake, Empire, Hastings, Cottage Grove, Chaska, Rosemount and Stillwater).

The services to be provided include review existing Process Safety Management (PSM) Plans for all facilities; review existing data and on chemical storage/usage for all facilities; complete a worst-case release scenario and two alternative scenarios; provide large-scale community maps with potential impact zones; investigate mitigation measures, provide completed Risk Management Plan for each facility; develop and implement Communication Plan.

The tentative schedule for selecting a consulting firm for this project is as follows:

Receive Letters of Interest	October 1997
Request for Proposals (RFP) issued	October 1997
Tour of 3 of the plants	November 1997
General Informational Meeting	November 1997
Proposals Received	December 1997
Select Consultant	December 1997
Negotiate final Contract Agreement	December 1997
Notice To Proceed given	January 1998

All firms interested in being considered for this project are invited to submit a Letter of Interest asking for the Request For Proposals package.

All inquiries are to be addressed to:

Administrative Assistant, Contracts and Documents  
Metropolitan Council Environmental Services  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101