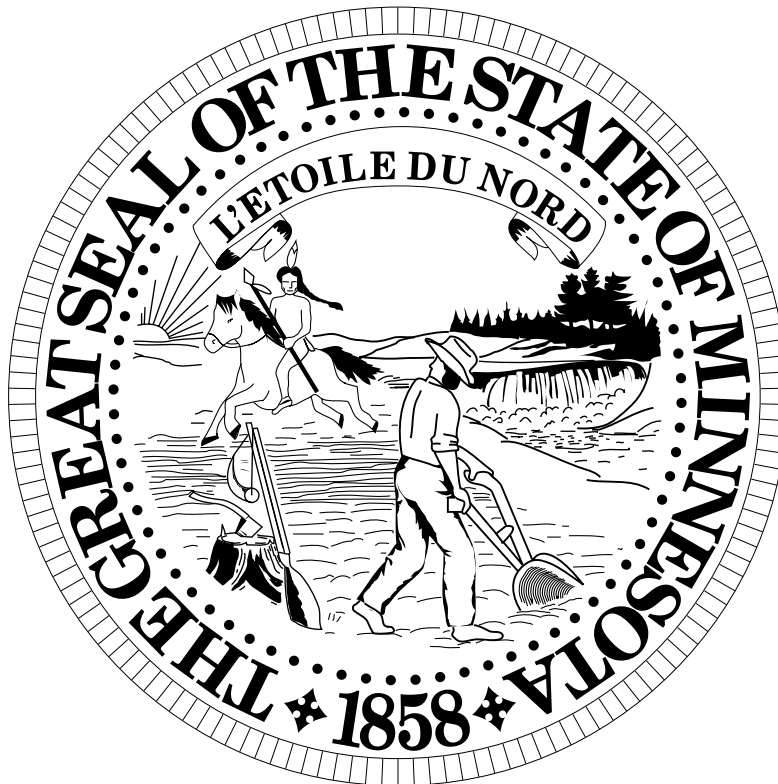


State of Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Monday 10 December 2001
Volume 26, Number 25
Pages 763-798

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, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

Jesse Ventura, Governor (651) 296-3391

Mae Schunk, Lt. Governor (651) 296-3391

Department of Administration:

David F. Fisher, Commissioner (651) 296-1424

Kent Allin, Asst. Commissioner (651) 297-4261

Mike Hatch, Attorney General (651) 297-4272

Judi Dutcher, State Auditor (651) 297-3670

Communications Media Division:

Mary Mikes, Director (651) 297-3979

Chris Schanus, Manager (651) 282-2974

Mary Kiffmeyer, Secretary of State (651) 296-2079

Carol Johnson, State Treasurer (651) 296-7091

Robin PanLener, Editor (651) 297-7963

Jane Schmidley, Assistant Editor (651) 296-4273

Jessie Rahmeyer, Subscriptions (651) 297-8774

Printing Schedule and Submission Deadlines – SEE NOTICE AT BOTTOM OF PAGE

Vol. 26 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
#25	Monday 10 December	Noon Wednesday 28 November	Noon Tuesday 4 December
#26	Monday 17 December	Noon Wednesday 5 December	Noon Tuesday 11 December
#27	Monday 24 December	Noon Wednesday 12 December	Noon Tuesday 18 December
#28	Monday 31 December	Noon Wednesday 19 December	NOON FRIDAY 21 DECEMBER

Copyright © 2001 Communications Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630 (ISSN 0146-7751)

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Solicitation Announcements* (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$12.20 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

"Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

The *State Register* is published by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

Legislative Information

Senate Public Information Office (651) 296-0504

State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146

State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043 Website: www.courts.state.mn.us

Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155

Minnesota Rules: Amendments & Additions			
Volume 26, Issues #15-25.....	766		
Proposed Rules			
Agriculture Department			
Seed potatoes	768		
Adopted Rules			
Revenue Department			
Revenue recapture act.....	771		
Exempt Rules			
Revenue Department			
Adopted exempt permanent rules governing lawful gambling; required audit or review for a period of less than 12 months.....	772		
Official Notices			
Administration Department			
Applications sought for appointments	773		
Children, Families and Learning Department			
Public comment on a revision to the FY 2002 state plan for Part C, IDEA: complaint procedures	773		
Comprehensive Health Association			
Executive Committee meeting Wednesday 12 December 2001	774		
Economic Security Department			
Unemployment insurance technology initiative project	774		
Pollution Control Agency			
Request for comments and notice of intent to approve a petition on request for public comments on the MPCA's intention to approve a petition submitted by Koch Petroleum Group LP requesting to exclude a waste from hazardous waste regulation	774		
Public Employees Retirement Association			
Meeting of the Board of Trustees and Legislative Committee of the Board Thursday 13 December 2001	776		
State Grants & Loans			
Administration Department			
Governor's Council on Development Disabilities request for proposal for a grant contract relating to strengthening self advocacy in Minnesota.....	776		
Children, Families and Learning Department			
Request for proposals for building Minnesota's child care system	777		
Request for proposals for child care and development fund early childhood and school-age care teacher recruitment and retention	777		
Commerce Department			
Request for proposals to develop and implement a telecommunications consumer outreach and education program.....	778		
Housing Finance Agency			
Consolidated request for proposals for a single family RFP, multifamily RFP, and the housing tax credit program.....	778		
Request for proposals for administrators for the homeownership education, counseling and training fund (HECAT).....	790		
Water and Soil Resources Board			
Announcement of application period for 2002 - 2003 natural resources block grants.....	791		
State Contracts			
Children, Families and Learning Department			
Withdrawal of request for proposals published in <i>State Register</i> November 13, 2001 regarding the design, development and implementation of the basic skills tests in reading and mathematics, and the Minnesota comprehensive assessments at grades three, five and seven	791		
Request for proposal for design, development and implementation of the Minnesota basic skills tests in reading and mathematics and the Minnesota comprehensive assessments at grades three, five and seven.....	792		
Corrections Department			
Red Wing correctional facility requests proposals for mentoring program for male juveniles with a community reintegration component	792		
Request for proposals for HIV/STD education and risk program at Minnesota correctional facilities	793		
Health Department			
Availability of contract for the Minnesota adult tobacco survey.....	793		
Trade and Economic Development Department			
Request for proposals to contract for business due diligence services.....	794		
Non-State Contracts & Grants			
University of Minnesota			
Bid Information Service (BIS) available for all potential vendors.....	796		
2001-02 prequalification of general contractors to perform construction services at the university	796		

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 1999 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.

Volume 26, Issues #15-25

Agriculture Department

1525.0920; .0930; .0940; .1040; .1070; .1100; .1470; .2300; .2310; .2320; .2330; .2370; .2390; .2470; .2480;	
1530.0990; .1000; .1010; .1110; .1360; .1660; .1700; .1720; .2210; .2220; .2230; .2240 (adopted)	627
1525.0470; .0480; .0490; .0500; .0530; .0540; .0570; .0580; .0590; .0620; .0630; .0640; .0650; .0661; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0840; .0850; .0860; .0870; .0880; .0890; .0910; .0950; .0960; .0980; .0990; .1000; .1010; .1030; .1050; .1060; .1080; .1090; .1110; .1120; .1130; .1140; .1150; .1160; .1170; .1180; .1190; .1200; .1210; .1220; .1230; .1240; .1250; .1260; .1270; .1280; .1290; .1300; .1320; .1350; .1360; .1370; .1380; .1390; .1400; .1410; .1420; .1430; .1440; .1450; .1460; .1510; .2500; .2510; .2520; .2530; 1530.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390; .0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480; .0490; .0500; .0510; .0520; .0530; .0540; .0550; .0560; .0670; .0580; .0590; .0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0690; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0970; .1040; .1050; .1070; .1080; .0190; .1100; .1350; .1410; .1420; .1430; .1440; .1450; .1460; .1470; .1480; .1490; .1500; .1510; .1515; .1520; .1530; .1540; .1550; .1560; .1570; .1580; .1590; .1600; .1610; .1620; .1630; .1640; .1650; .1670; .1680; .1690; .1730; .1760; .1770; .1780; .1790; .1800; .1820; .1830; .1840; .1850; .1860; .1870; .1880; .1890; .1900; .2000; .2010; .2020; .2030; .2040; .2050; .2060; .2070; .2080; .2090; .2100; .2110; .2120; .2130; .2140; .2150; .2160; .2170; .2180; .2190; .2200; .2250; .2260; .2270; .2280; .2290; .2300; .2310; .2320; .2330; .2340; .2350; .2360; .2370; .2380; .2390; .2400; .2410 (repealed)	627
1555.6950 (proposed)	768

Chiropractic Examiners Board

2500.6000 (proposed)	512
2500.6000; .6050 (withdrawn)	566

Children, Families and Learning Department

3525.0200; .0755; .1310; .1329; .1333; .1335; .1339; .1341; .1348; .1352; .2325; .2340; .2710; .2810; .3010; .3100; .3600; .3700; .3750; .4100; .4210; .4410; .4600; .4700; .4770 (proposed)	657
3525.0200 s.7a; .1329 s.2; .1333 s.3; .1510; .2550 s.1; .2750; .2900 s.1, 3; .3700 s.2; .4200; .4400 (repealer)	657

Electricity Board

3800.3820; .3825; .3830; .3835; .3840; .3845; .3850; .3855; .3860; .3865; .3870 (proposed)	652
--	-----

Environmental Quality Board

4401.0100; .0200; .0300; .0400; .0450; .0460; .0470; .0500; .0550; .0600; .0610; .0620; .0700; .0800 (proposed)	692
---	-----

Health Department

4620.0050; .0100; .0300; .0350; .0400; .0450; .0750; .0950; .0955; .0960; .0975; .1000; .1010; .1025; .1030; .1100; .1200; .1300; .1400; .1425; .1440 (proposed)	720
4620.0700 (proposed repealer)	720
4650.0102; .0111; .0112; .0113; .0115; .0117; .0138 (adopted)	627
4650.0102, s.12c (repealed)	627

Higher Education Services Office

4830.7500 (adopted)	700
4850.0011; .0014; .0016; .0017 (proposed)	546
4850.0011 s.28 (proposed repealer)	546

Labor and Industry Department

5205.0010 (adopted exempt)	490
5205.0010 (adopted exempt)	701
5210.0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0690; .0700; .0710; .0720; .0730; .0740; .0750; .0760 (exempt repealed)	701
5219.0500; 5221.4020 (adopted exempt)	490

Natural Resources Department

6264.0400 (adopted expedited emergency)	565
6264.0400 s.4 (May 7, 2001, 25 SR 1779, and June 25, 2001, 25 SR 1965) (repealed)	565

Minnesota Rules: Amendments and Additions

Public Safety Department			
7420.0200; .0300; .0400; .9910; .9920; .9930 (exempt repealed) ...	744		
7502.0420 (adopted exempt).....	491		
Public Utilities Commission			
7820.1600; .1800; .1900; .2000; .2100; .2300 (adopted exempt)	668		
7820.1600 s.2b becomes .1600 s.2f (exempt renumberer)	668		
7820.1600 s.2a, 3a; .2010 (exempt repealer).....	668		
Minnesota Sate Retirement System			
7905.0100; .0300; .0800; .0900; .1200; .1500; .1600; .2000; .2200; .2300; .2400; .2500; .2560; .2600 (adopted exempt)	629		
7905.0100 s.12, 18a; .2200 s. 1, 2, 3, 4 (exempt repealer)	629		
Revenue Department			
8122.0500 (adopted exempt).....	771		
8165.0200; .0300; .0400 (adopted).....	771		
Teaching Board			
8700.7620; 8710.4750 (adopted).....	700		
8710.1250; .4525; .4725; .5900; .8000; .8010; .8020; .8030; .8040; .8050; .8060; .8070; .8080 (adopted).....	700		
		8750.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0071; .0072; .0073; .0082; .0085; .0090; .3000; .3010; .3050; .3100; .3150; .3170; .3200; .3250; .3300; .3350; .3400; .3420; .3450; .3500; .3550; .3600; .3620; .3650; .3800; .3810; .3820; .3830; .3840; .6000; .6100; .6200; .6300; .6500; 8710.0550 s.11 (repealed)	700
		Human Services Department	
		9505.0045; .0065; .0075; .0110; .0115 (proposed).....	484
		9505.0015, s. 2,7,10,15,26,29,30,35,43; .0016; .0020; .0030, s. 2,3; .0040; .0044; .0055, s. 1,2,3,4; .0058; .0059; .0060; .0061; .0062; .0063; .0064; .0065, s. 2,3,4,5,6,7,8,9,10,11,12; .0070, s.9; .0071, s.3,4; .0075, s.1,2,3,5,6,7,8,9,10; .0090, s.1; .0110, s.2; .0115, s.3,5; .0120; .0130 s.3; .0135, s.5,6; .0145; .0150 (proposed repealer)	484
		9505.0270 (proposed)	740
		9505.0270 s. 3,4,5,6,7,8,9 (proposed repealer)	740
		9505.0390 (adopted).....	487

Available at Minnesota Bookstore

Order form on back page

From Rockford Publishing and Cloud Cartographics, these county plat map books are great for the hunter/adventurer or the prospective land owner seeking property sites. Includes key county government offices as well as an alphabetized business directory, city maps and an index to owners.

COUNTY	Stock No./Price	COUNTY	Stock No./Price
Aitkin County	12-66 \$35.00	Lake County	12-28 \$30.00
Becker County	12-79 \$30.00	Meeker County	12-29 \$30.00
Beltrami County	12-67 \$30.00	Mille Lacs County	12-30 \$30.00
Blue Earth County	12-20 \$25.00	Morrison County	12-31 \$30.00
Carlton County	12-68 \$30.00	Otter Tail County	12-33 \$30.00
Carver County	12-21 \$30.00	Pine County	12-73 \$40.00
Cass County	12-22 \$30.00	St. Louis Co. (North)	12-74 \$35.00
Chisago County	12-23 \$30.00	St. Louis Co. (South)	12-75 \$35.00
Cook County	12-24 \$25.00	Scott County	12-40 \$25.00
Crow Wing County	12-70 \$30.00	Sherburne County	12-41 \$30.00
Dakota County	12-80 \$35.00	Stearns County	12-42 \$25.00
Douglas County	12-81 \$30.00	Steele County	12-43 \$25.00
Fillmore County	12-25 \$30.00	Todd County	12-44 \$30.00
Freeborn County	12-78 \$25.00	Wabasha County	12-82 \$40.00
Hubbard County	12-71 \$30.00	Wadena County	12-46 \$30.00
Isanti County	12-26 \$30.00	Winona County	12-77 \$30.00
Itasca County	12-76 \$35.00		
Kanabec County	12-27 \$30.00		
Koochiching County	12-72 \$35.00		

Visit our website:
minnesotasbookstore.com

Attention Hunters!

Plat Maps

Minnesota's Bookstore offers the
**most comprehensive selection of
Minnesota plat map books
currently available.**

651.297.3000
800.657.3757
Mon-Fri
8am-5pm

Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp.
Stock No. 19-31 \$5.99 + shpg. & sales tax

Hunter Education Training Course

Great tool for teaching the beginner the key to safe, successful hunting. This course includes the Hunter's Field Guide (described above), a Workbook and a Safety video. Excellent refresher for the experienced hunter, too! **Stock No. 19-111 ONLY \$14.99 + shpg. & sales tax**

Animal Tracks of Minnesota & Wisconsin

Great drawings and quick reference captions provide a solid picture of more than 60 different mammals, birds and reptiles of our area. Truly pocket-sized, this field guide identifies animal tracks charting the size of fore prints and hind prints, stride and strattle patterns, and descriptive information about the creature's behavior. Softcover, 160pp.
Stock No. 9-72 \$6.95 + shpg. & sales tax

*Hunting and
Wildlife
Guides*



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*.

Department of Agriculture

Grain and Produce Division

Proposed Permanent Rules Relating to Seed Potatoes

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Seed Potato Grades and Tolerances, *Minnesota Rules*, 1555.6950

Introduction. The Department of Agriculture 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. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until January 9, 2002.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 W Plato Blvd., St. Paul, MN 55107; **phone:** (651) 296-6906; **Fax:** (651) 297-5522; **Email:** carol.milligan@state.mn.us. **TTY** users may call the Minnesota Relay at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about tolerances for powdery scab in seed potatoes. The statutory authority to adopt the rules is *Minnesota Statutes*, section 21.118. 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 January 9, 2002 to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you 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 January 9, 2002. 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 affect 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.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules unless the procedure under part 1400.2110 has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

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.

Adoption and Review of Rules. 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.

Dated: 13 November 2001

Sharon Clark
Deputy Commissioner

1555.6950 MINNESOTA CERTIFIED SEED POTATO GRADES AND TOLERANCES.

Subpart 1. **Minnesota certified seed potato grades.** Before potatoes are eligible for grading as certified seed potatoes, the requirements of parts 1555.6750 to 1555.6845 must be met.

Subp. 2. **Minnesota blue tag certified seed potato grade.** To be graded as Minnesota blue tag certified seed potatoes, the potatoes must meet the requirements in items A to C.

A. Condition. The potatoes must be, at the time of final inspection, of one variety, unwashed, fairly well-shaped, free from bacterial ring rot, ~~powdery scab~~, late blight, freezing, black heart, and soft rot or wet breakdown, and free from damage caused by soil or other foreign matter, second growth, air cracks, cuts, shriveling, sprouts, pitted scab, surface scab, ~~powdery scab~~, russet scab, dry rot, other diseases, insects or worms, mechanical or other means, flattened or depressed areas with underlying flesh discoloration, and from serious damage caused by hollow heart, wire worm, growth cracks, or internal discoloration other than hollow heart. Sunburn and silver scurf are not factors.

[For text of item B, see M.R.]

C. Lot tolerances. In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, are provided:

(1) For defects:

[For text of units (a) to (e), see M.R.]

(f) six percent for potatoes which fail to meet the remaining requirements of the grade, provided that included in that amount not more than the following percentages are allowed for the following defects:

- i. soft rot, frozen, or wet breakdown, 0.5 percent;
- ii. damage by surface, powdery, or pitted scab, 2.0 percent;
- iii. damage by dry rot, 2.0 percent, of which not more than 1.0 percent late blight tuber rot;
- iv. bacterial ring rot, 0.0 percent; and
- v. ~~powdery scab, 0.0 percent; and~~
- ~~vi.~~ late blight tuber rot, 1.0 percent; and

[For text of unit (g), see M.R.]

[For text of subitem (2), see M.R.]

Subp. 3a. **Minnesota yellow tag certified seed potato grade.** To be graded as Minnesota yellow tag certified seed potatoes, the potatoes must meet the requirements in items A to D.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
--

Proposed Rules

A. Condition. At the time of final inspection, the potatoes must be of one variety, unwashed, fairly well-shaped, free from bacterial ring rot, ~~powdery scab~~, late blight, freezing, black heart, and soft rot or wet breakdown, and free from damage caused by second growth, air cracks, cuts, shriveling, pitted scab, surface scab, ~~powdery scab~~, dry rot, other diseases, insects or worms, mechanical means or other means, and from serious damage caused by soil or other foreign matter, hollow heart, wireworm, growth cracks, russet scab, or internal discoloration other than hollow heart. Sunburn and silver scurf are not factors.

[For text of item B, see M.R.]

C. Lot tolerances. In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, are provided:

(1) for defects:

[For text of units (a) to (d), see M.R.]

(e) 20 percent for potatoes that fail to meet the remaining requirements of the grade with not more than six percent serious damage provided that included in that amount not more than the following percentages are allowed for the following defects:

- i. soft rot, frozen, or wet breakdown, 0.5 percent;
- ii. damaged by surface, powdery, or pitted scab, 5.0 percent;
- iii. damaged by dry rot, 2.0 percent, of which not more than 1.0 percent is late blight tuber rot;
- iv. bacterial ring rot, 0.0 percent; and
- v. ~~powdery scab, 0.0 percent; and~~
- ~~vi.~~ late blight tuber rot, 1.0 percent; and

[For text of unit (f), see M.R.]

[For text of subitem (2), see M.R.]

D. Shape. The potatoes must be fairly well shaped, with an exception for long varieties when specified as "except for shape." In that case the tubers may be misshapen.

[For text of subp 4, see M.R.]

Subp. 5. **Application of tolerance.** The contents of individual containers, other than bulk conveyances, in the lot are subject to the following limitations provided that the averages for the entire lot are within the tolerances specified for the grade. An individual container in any lot may contain not more than double the tolerance specified except for sprouts and except that at least one defective specimen, other than bacterial ring rot ~~or powdery scab~~, and one offsize specimen may be permitted in any container.

[For text of subp 6, see M.R.]

Subp. 7. **Definitions.** For the purpose of this part, the terms in items A to J have the meanings given them unless the context clearly indicates otherwise.

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

I. "Damage" means any defect or combination of defects which materially affects the appearance of the individual potato or which cannot be removed without a loss of more than five percent of the total weight of the potato including the peel covering the defective area. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

[For text of subitems (1) to (5), see M.R.]

(6) surface, powdery, or pitted scab, individually or in combination, which covers an area of more than five percent of the surface of the potato in the aggregate, or causes a loss of more than five percent of the total weight of the potato including peel covering defective area;

[For text of subitem (7), see M.R.]

J. "Serious damage" means any defect or combination of defects which seriously affects the appearance of the individual potato or which cannot be removed without a loss of more than ten percent of the total weight of the potato including the peel covering the defective area. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

[For text of subitems (1) to (5), see M.R.]

(6) surface, powdery, or pitted scab, individually or in combination, which covers an area of more than 25 percent of the surface of the potato in the aggregate, or causes a loss of more than ten percent of the total weight of the potato including peel covering defective area;

(7) wireworm and air cracks when removal causes a loss of more than ten percent of the total weight of the potato.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Expedited and Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Revenue

Adopted Permanent Rules Relating to the Revenue Recapture Act

The rules proposed and published at *State Register*, Volume 26, Number 14, pages 431-434, September 24, 2001 (26 SR 431), are adopted as proposed.

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.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* § 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Revenue

Adopted Exempt Permanent Rules Governing Lawful Gambling; Required Audit or Review for a Period of Less Than 12 Months

8122.0500 LESS THAN A 12-MONTH AUDIT OR REVIEW.

An organization whose license is active, discontinued, terminated, or expired at the organization's fiscal year end, is required to complete and file an audit or a review, if the organization's gross receipts exceed ~~\$50,000~~ the thresholds as specified in *Minnesota Statutes*, section 297E.06.

In the year an organization commences gambling activity, the audit or review required may cover the operations of the organization for a period of less than 12 months.

In the year an organization's license expires, is discontinued, or terminated, the audit or review will be through the organization's fiscal year end, unless the organization's license termination plan has been approved by the Gambling Control Board prior to the fiscal year end. In this circumstance, the organization has the option of performing the required audit or review through the license termination plan approval date, or another date specified by the organization that is between the approval date and the last day of the fiscal year.

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Administration

Governor's Council on Developmental Disabilities

Applications Sought for Appointments

The Governor's Council on Developmental Disabilities is seeking applications from people with developmental disabilities and parents of children with developmental disabilities to serve on the 25-member Council. Applications are due no later than January 2, 2002. The Council is a federally mandated and funded advisory group charged with providing information, education and training that will enable people with significant disabilities to become more independent, productive, and included in community life. Council members are appointed by the Governor.

A one-page application form is used for all Governor appointments. This form is available by contacting the Secretary of State's Office at (651) 297-5845, or completing and submitting an application on line: www.sos.state.mn.us, go to "Open Appointments" and then "Forms."

Departments of Children, Families and Learning; Health; and Human Services

Part C, IDEA Interagency Early Childhood Intervention Project

Notice of Public Comment on a Revision to the FY 2002 State Plan for Part C, IDEA: Complaint Procedures

NOTICE IS HEREBY GIVEN that the three state agencies, the Minnesota Departments of Children, Families and Learning; Health; and Human Services seek public comment on a revision to the FY 2002 State Plan for Part C, IDEA regarding complaint procedures.

Representatives from the State Early Intervention Team (composed of staff from the Minnesota Departments of Children, Families and Learning, Health and Human Services) will be present to receive oral or written testimony regarding this revision about complaint procedures to the Plan at the public hearings listed below:

Thursday, December 20, 2001
10:00 a.m., to Noon
Department of Children, Families and Learning
Conference Center Rooms 3 and 4
1500 Highway 36 West
Roseville, MN

Wednesday, January 9, 2002
10:00 a.m. to Noon
Brainerd Public Library
416 S. Fifth St.
Brainerd, MN
Phone: (218) 829-5574

If you are unable to attend the public hearings, written comments may be sent to:

Jan Rubenstein
Part C- Infants and Toddlers Program
DCFL
1500 Highway 36 West
Roseville, MN 55113-4266
Fax: (651) 582-8494
Email: Jan.Rubenstein@state.mn.us

To request a copy of the revision to the Part C, IDEA State Plan regarding complaint procedures contact Dorie Dahlberg by **Email:** Dorie.Dahlberg@state.mn.us or **phone** at: (651) 582-8438.

Official Notices

Minnesota Comprehensive Health Association

Notice of Meeting of Executive Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) **Executive Committee** will be held at 12:00 p.m. on Wednesday, December 12, 2001, at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Lynn Gruber at (952) 593-9609.

Department of Economic Security

Unemployment Insurance Technology Initiative Project

The Department of Economic Security is notifying interested parties that it intends to publish a Request For Proposal (RFP) in the December 17, 2001 *State Register*.

The purpose of this RFP is to secure services for the planning, assessment and quality assurance in creating a five to six year strategic plan for the Unemployment Insurance Technology Initiatives Project. The Project/Strategic plan will include reengineering and redesign of all unemployment insurance business processes and technical systems. Included in this project is a requirement that a report be prepared and presented to the Minnesota Legislature by June 30, 2002. The estimated contract period is March 1, 2002, to September 30, 2003.

Persons who might be interested in reviewing the RFP must wait until the Notice of Availability for the Request for Proposal has been printed in the *State Register* or posted to the *State Register's* Web to receive the full document. The web address is: <http://www.comm.media.state.mn.us/bookstore/stateregister.asp>

Minnesota Pollution Control Agency

Majors and Remediation Division

REQUEST FOR COMMENTS AND NOTICE OF INTENT TO APPROVE A PETITION on Request for Public Comments on the MPCA's Intention to Approve a Petition Submitted by Koch Petroleum Group LP Requesting to Exclude a Waste from Hazardous Waste Regulation

What is the petition?

Koch Petroleum Group LP (Koch) has requested the Minnesota Pollution Control Agency (MPCA) Commissioner to approve a petition to exclude a waste from hazardous waste regulation. The petition process is established in *Minnesota Rules* 7045.0075, subp. 2 (1999). Koch's petition seeks approval for alternative management of coker pond fines currently classified as F037 hazardous wastes. The petition requests that the coker pond fines be burned as fuel at a facility already permitted by the MPCA to burn petroleum coke.

The petition process requires the MPCA Commissioner to determine whether the waste is capable of posing a substantial present or potential hazard to human health or the environment.

What is the waste?

The waste being addressed by the petition is fine material dredged from the Koch Refinery coker ponds. The material consists of fine particles of petroleum coke product mixed with oily wastewater and solids from the refinery process. The combined material is classified as a hazardous waste (hazardous waste code F037). The petition seeks a one-time exclusion of approximately 19,200 tons of the coker pond fines.

How will it be managed?

The petition requests approval to burn the coker pond fines as fuel at a facility that has an MPCA air emissions permit to burn petroleum coke. It is most likely that the coker pond fines would be purchased and used over a period of one year by one or both of two facilities: Xcel Energy's A.S. King plant in Bayport, or the EVTAC plant near Eveleth.

What is the MPCA's decision?

The MPCA has reviewed the petition and evaluated the risk from burning the coker pond fines as fuel. Based on the results of this risk assessment, the MPCA has determined that the waste does not pose a present or potential hazard to human health or the environment and intends to approve Koch's request. The MPCA has prepared a summary document called the Statement of Basis for Approving the Petition. The Statement of Basis for Approving the Petition describes the petition and the MPCA's review process in greater detail, including the factors that the MPCA must consider when reviewing a petition.

What is the role of the public?

Through this notice, the MPCA is informing the public of the MPCA's receipt of the petition and of its intent to approve the petition based on the information available. The public is invited to participate in the decision through any of the following ways.

During the comment period any person may:

1. *Provide additional information.* The MPCA is interested in hearing additional information relative to Koch's petition and will accept comments until 4:00 p.m., on Thursday, January 10, 2002. Comments must be directed to the MPCA contact person identified below.

Copies of the MPCA's Statement of Basis for Approving the Petition are available by contacting the MPCA contact person named below. Comments, questions and additional information from the public are welcome. All public comment must be received by the MPCA contact person named below by the comment period deadline. The MPCA Commissioner will make a final decision on the petition after reviewing the public comments and will prepare Findings.

2. *Request the MPCA Board to make the final decision.* *Minnesota Statutes* §116.02, subd. 9 (2000) allows a person to submit a petition to the Commissioner requesting that the decision be made by the MPCA Citizens' Board, rather than the MPCA Commissioner. If this request is made, the petition should state the reasons why the MPCA Citizens' Board should make the decision on the Koch petition.
3. *Petition for a Contested Case Hearing.* During the comment period, any person may petition the MPCA Commissioner to hold a contested case hearing. The required contents of a petition for a contested case hearing are found in *Minnesota Rules* 7000.1800 (1999). The criteria for granting a contested case hearing are found in *Minnesota Rules* 7000.1900 (1999).
4. *Request an Informational Meeting.* The MPCA has anticipated that there will be interest in a public informational meeting. (*Minnesota Rules* 7000.0650, subp. 4 (1999) allows any person to petition the MPCA to hold a public meeting to provide information regarding an issue.) An informational meeting will be held on Thursday, January 3, 2002, at 9:00 a.m., in the Board Room of the MPCA offices at 520 Lafayette Road in St. Paul. Public parking is available at the MPCA building and at the corner of Lafayette Road and Grove Street to the southwest of the MPCA offices.

How can I get more information?

The MPCA has prepared a factsheet summarizing Koch's petition and the MPCA's response. In addition, the MPCA Commissioner has prepared a summary document called the Statement of Basis for Approving the Petition that describes the petition and the MPCA's review process in greater detail. Either of these documents can be obtained by contacting the MPCA's contact person or by accessing the Notices section of the MPCA's website at www.pca.state.mn.us. The MPCA's Statement of Basis for Approving the Petition and Koch's petition are available for review at the following locations:

- The MPCA office at 520 Lafayette Road, in St. Paul
- The Dakota County Public Library at 14955 Galaxie Avenue, in Apple Valley
- The Dakota County Public Library at 8098 Blaine Avenue, in Inver Grove Heights
- The Dakota County Public Library at 1340 Wescott, in Eagan
- The Duluth Public Library at 520 West Superior Street
- The Eveleth Public Library at 614 Pierce Street
- The Bayport Public Library at 582 North 4th Street
- The Stillwater Public Library at 223 North 4th Street

Official Notices

How can I comment?

The MPCA's contact person is Carol Nankivel. Comments or requests for information will be accepted by mail, email or telephone.

Carol Nankivel
MPCA/Policy and Planning Division
520 Lafayette Road
St. Paul, MN 55155-4194
Phone: (651) 297-8371
Toll Free: 1-800-657-3864
Fax: (651) 297-8676
Email: Carol.nankivel@pca.state.mn.us

The MPCA will be accepting comments at the above address and number until **4:00 p.m., on Thursday, January 10, 2002.**

Karen A. Studders, Commissioner
Minnesota Pollution Control Agency

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, December 13, 2001, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, St. Paul, Minnesota.

A meeting of the Legislative Committee of the Board of Trustees will be held following the Board meeting on December 13, 2001, in the offices of the Association.

State Grants & Loans

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

Department of Administration

Governor's Council on Developmental Disabilities

Request for Proposal for a Grant Contract Relating to Strengthening Self Advocacy in Minnesota

The Governor's Council on Developmental Disabilities is pleased to announce that it is seeking proposals from nonstate agencies or organizations to provide leadership training; establish, strengthen, and expand self advocacy programs in the state; and support and expand the participation of individuals with developmental disabilities in cross disability and culturally diverse coalitions. Knowledge and experience in self advocacy, advocating for people with developmental disabilities, and leadership development and training are also required.

Federal funds are available under provisions of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402). A total of \$40,000 is available to support these efforts and will be awarded for a successful proposal. The project

period is through August 15, 2002. Continuation funding is dependent on the availability of federal funds and contractor performance.

Proposals are due **no later than 3:00 p.m., on Tuesday, January 29, 2002**. For further information or to request a copy of the Request for Proposal, please contact:

Mary Jo Nichols
Governor's Council on Developmental Disabilities
370 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone: (651) 282-2899
Toll free: 1-877-348-0505
TTY: (651) 296-9962
Email: admin.dd@state.mn.us

The proposal is also available at www.mnddc.org or www.mncdd.org; go to "The Council" and then "News and Events."

Department of Children, Families and Learning

Child Care and Development Fund

Notice of Request for Proposals: Building Minnesota's Child Care System

Minnesota's federal Child Care and Development Fund plan solicits requests for proposals from Minnesota's communities to support and develop the infrastructure of Minnesota's child care system. The Child Care and Development (Request for Proposals) application is designed to provide communities easy access to information about a variety of fund categories available to promote comprehensive, community-wide initiatives. The fund categories that are available through this request for proposals are:

- Infant/Toddler Care - Promoting Good Baby Care
- Special Needs Demonstration Sites
- Increasing the Cultural Responsiveness of Minnesota's Child Care System
- Professional Development & Training

Grants will be awarded for a period of two years beginning on July 1, 2002.

Complete proposals must be postmarked by February 20, 2002.

For a complete copy of the Request for Proposals, please contact Julie Nash, Department of Children, Families and Learning, 1500 Highway 36 West, Roseville, Minnesota 55113, **phone:** (651) 582-8562, **fax:** (651) 582-8496, **email:** child.care@state.mn.us

Department of Children, Families and Learning

Early Childhood and Family Support

Notice of Request for Proposals: Child Care and Development Fund Early Childhood and School-Age Care Teacher Recruitment and Retention

The Minnesota Department of Children, Families and Learning is soliciting proposals from public or private non-profit organizations with statewide capabilities and experience in administering professional development systems to manage the administration of a scholarship and incentive grant program to early childhood and school-age care professionals. Approximately \$1,500,000 in federal funds is currently available for development of a comprehensive system to promote professional development of early childhood and school-age care practitioners. A minimum of \$500,000 of the award must be used to recruit and retain teachers and providers caring for infants and toddlers.

One grant will be awarded initially for a period of two years, with future years contingent upon availability of federal funds and the State's satisfaction with the work of the Grantee. The original grant is scheduled to begin on March 1, 2002.

State Grants & Loans

Completed proposals must be received by **3:00 p.m. on January 15, 2002.**

For a complete copy of the Request for Proposals, please contact Julie Nash, Department of Children, Families and Learning, 1500 Highway 36 West, Roseville, Minnesota 55113, **phone:** (651) 582-8562, **fax:** (651) 582-8496, **email:** child.care@state.mn.us

Department of Commerce

Request for Proposals to Develop and Implement a Telecommunications Consumer Outreach and Education Program

The Minnesota Department of Commerce (herein "Department") seeks proposals from qualified organizations to develop and implement a Telecommunications Consumer Outreach and Education Program. Proposals should address issues such as the rights and responsibilities of telephone consumers, impact of telecommunications policy changes on consumers, or other outreach proposals that would result in a benefit to Minnesota telecommunications consumers. The total amount of funding available is \$890,500. For a copy of the complete Request for Proposals, please access the Department's **website** at: <http://www.commerce.state.mn.us>, then click on "Telecommunications," or contact Michelle Rebholz at (651) 296-1255. Proposals are due **no later than 4:00 p.m., Central Time, February 8, 2002.**

Minnesota Housing Finance Agency

Consolidated Request for Proposals for Single Family RFP, Multifamily RFP, and the Housing Tax Credit Program

The Minnesota Housing Finance Agency (MHFA), the Greater Minnesota Housing Fund, the Metropolitan Council, the Family Housing Fund, and the Minnesota Department of Corrections announce the availability of funds through a Consolidated Request for Proposals (RFP). Funds are available to assist in the development, construction, acquisition, demolition, or rehabilitation of affordable homeownership, home improvement, or rental housing activities for low and moderate-income residents of Minnesota.

Single Family RFP activities also include a very limited amount of funding for exterior home improvement or lead hazard reduction.

Multifamily RFP activities also include rental assistance and a limited amount of funding for operating subsidies for new construction of supportive housing developments.

The Consolidated RFP represents an effort to coordinate the resources available within the agency, and to address communities' comprehensive housing efforts.

Eligible applicants are invited to submit proposal(s) for the Single Family RFP, the Multifamily RFP and the Housing Tax Credit Program. Separate Single Family and Multifamily applications are required and due dates are a week apart.

In the event that a comprehensive housing proposal is submitted that consists of both single family and multifamily units within the same geographical area, you must complete both a single family and multifamily application.

Amount of Funds Available:

Fund availability is listed individually under each specific RFP section below.

Eligible Locations:

MHFA funds are generally available statewide; while respective RFP partners' funds are available only in the Twin Cities Metropolitan area or Greater Minnesota depending upon the specific funding partner.

Eligible Applicants:

In general, eligible applicants for the majority of resources include Minnesota Cities, limited dividend entities, for profit organizations, a nonprofit organization, a private developer, a natural person, an Indian tribe or tribal housing corporation, a public housing agency, a joint powers board established by two or more cities, and a cooperative housing corporation.

In addition to the above, eligible applicants for multifamily and tax credit proposals also include corporations and partnerships.

*Habitat for Humanity organizations are **not eligible** to apply for funding from the Community Revitalization Fund as the primary applicant under the "traditional Habitat model", but are eligible to be secondary partners with those applicants previously mentioned.*

Visitability Requirements:

The 2001 Minnesota Legislature imposed a visitability requirement in certain new construction financed by the MHFA. This requirement was promoted by the disability community.

The visitability requirement applied to the following types of new construction that is financed in whole or in part by the MHFA:

- Single family homes,
- Duplexes,
- Triplexes, and
- Multi-level townhomes.

The requirement does not apply to owner-occupied housing financed by the MHFA mortgage programs except in cases where the MHFA has also provided financing for the construction.

Visitability is defined as designs that allow persons with mobility impairments to enter and stay, but not live, in a residence. There are three (3) specific design elements that must be incorporated in the dwelling to satisfy the state visitability requirement. The dwelling must include:

- 1) at least one no-step entrance;
- 2) 32-inch clear opening doorways;
- 3) at least a one-half bath on the main level that meets minimum clear floor space for half baths as required by Fair Housing Act "Part B: Usable Bathrooms."

The visitability requirement must be satisfied by all applicable new construction proposals that are first selected for funding by the MHFA in the Spring 2002 funding round or thereafter.

SELECTION STANDARDS AND FUNDING PRIORITIES

The MHFA has developed the following selection standards and funding priorities to increase the extent to which housing resources are strategically targeted. These selection standards and funding priorities will be used to evaluate, score and rank proposals submitted in response to the Multifamily RFP and the Limited Fund Programs offered through the Single Family RFP.

All proposals eligible for financing must also address housing needs created by current local Economic Vitality Housing Initiatives (EVHI), Continuum of Care Plans, or Metropolitan Housing Implementation Group (MHIG) Project Selection Criteria.

Selection Standards:

To be considered for funding under the Agency's programs, applicants must satisfy the following threshold requirements:

Overall Project Feasibility: The Agency shall consider the following factors in determining whether an applicant has demonstrated overall project feasibility:

- The nature of the proposed site;
- Whether the proposed housing is needed in the market that is intended to be served, based upon population, job growth, and low housing vacancy rates;
- Whether costs of developing the housing are reasonable and whether the housing is economically viable; and
- For permanent supportive housing, whether the applicant has secured long-term funding for the support services that address the special needs of proposed tenants.

Organizational Capacity: The agency shall consider the following factors in determining whether an organization has demonstrated sufficient organizational capacity:

- The applicant's purpose and mission;
- The applicant's related housing experience;
- Whether the applicant has successfully completed similar projects or is partnering with other organizations that have successfully completed similar projects; and
- Whether the applicant has strong current and expected ongoing capacity to complete the proposed housing as well as other proposals being developed by the organization and the expected ongoing capacity to maintain the rental housing long term.

State Grants & Loans

Funding Priorities:

Among proposals that satisfy the selection standards set forth above, the agency shall give priority in awarding loans or grants to those proposals that best address the greatest number of the following priorities:

- The extent to which the proposal addresses the housing needs of underserved populations.
- The extent to which the proposal contains clearly identified goals relating to the housing element of a cooperatively developed plan consistent with the mission of the agency.
- The extent to which the proposed housing is located near jobs; transportation, including regional and interregional transportation corridors and transit-ways; recreation; retail services; social and other services; and schools;
- The extent to which the proposed housing is part of the infrastructure necessary to sustain economic vitality.
- The extent to which the proposed housing maximizes the adaptive reuse of existing buildings and the use of existing infrastructure. If the proposal includes the new housing, the agency shall consider the extent to which the efficient use of land and infrastructure is maximized and the loss of agricultural land and green space is minimized.
- The extent to which private investment is included as a funding source.
- The projected long-term affordability of the proposed housing.
- The extent to which the proposed housing provides or maintains housing opportunities for households with a wide range of incomes and housing needs within a community or provides housing opportunities for a wide range of incomes within the proposed housing.
- The extent to which the cost per unit is held as low as possible while not compromising the quality and sustainability of the proposed housing.
- The extent to which the proposal identifies and includes identifiable cost avoidance or cost reductions from regulatory changes, incentives, or waivers by the local governing body, including but not limited to:
 - Density bonuses,
 - Reduced setbacks and parking requirements,
 - Decreased road widths,
 - Flexibility in site development standards and zoning code requirements, waiver of permit or impact fees,
 - Fast-track permitting and approvals, and
 - Other regulatory incentives that will result in cost avoidance or reductions.

If a proposal identifies and includes cost savings, the application must provide a quantified breakdown of such cost savings due to regulatory incentives, or innovative building techniques or materials.

- The extent to which the site and design of the proposed housing is suitable for the housing needs of the proposed tenant or homebuyer population.
- The extent to which the applicant has the capacity to complete the proposed housing development in a timely fashion and maintain the housing development after completion
- Temporary priorities, as established by the legislature or the members, which reflect unexpected short-term changes in the demand for housing. An example of an unexpected short-term change is the need to direct resources to respond to a natural disaster, such as a flood or tornado.

Additional Funding Priority for the Challenge Program:

- The extent to which the proposal includes contributions from a local employer, a unit of local government, and a private philanthropic, religious or charitable organization.

Additional Funding Priorities for the Housing Trust Fund Program:

- For proposed housing that will serve homeless or near homeless households, the extent to which the proposal reflects locally determined priorities described in the Continuum of Care plan.
- The extent to which the proposed housing will serve persons and families whose incomes, at the time of initial occupancy, do not exceed 30 percent of the median family income for the metropolitan area.
- The extent to which the amount of rent to be paid by tenants of the proposed housing does not exceed 30 percent of 30 percent of the area median family income as determined by HUD.

Selection Standards and Funding Priorities for Operating Subsidies under the HTF Program:

Selection Standards: To be considered for operating subsidy funding under the housing trust fund program, applicants must satisfy the following requirements:

- Whether the proposed operating subsidy is needed in the market to be served.
- The financial feasibility of the housing development without the proposed operating subsidy.
- The likelihood that the applicant or its partner organization will be able to implement and operate the proposed operating subsidy.
- The availability of funds from private or public sources to assist in making the housing development economically feasible.
- For operating subsidies - unique costs, whether the proposed housing development includes creative approaches to the provision of affordable housing that can be replicated and serve as a model for other providers of affordable housing.
- For permanent supportive housing, the extent to which long-term funding is secured for the support services that address the special needs of proposed tenants.

Funding Priorities: Among proposals that satisfy the selection standards set forth above, the agency shall give priority in awarding operating subsidies under the housing trust fund program to those proposals that best address the greatest number of the following funding priorities, in addition to the funding priorities listed previously for capital funding:

- A priority for permanent supportive housing developments;
- A priority for newly constructed housing developments

Selection Standards and Funding Priorities for Rental Assistance under the HTF Program:

Selection Standards: To be considered for rental assistance funding under the housing trust fund program, applicants must satisfy the following requirements:

- The likelihood that the applicant's rental assistance program will be implemented in a timely manner.
- The likelihood that the applicant will be able to implement and operate the proposed rental assistance program, based on a consideration of the following factors:
 - Whether the purpose of the applicant is housing related;
 - Whether the proposed rental assistance program is consistent with the applicant's mission;
 - Whether the applicant or its partner organization has demonstrated experience and ability to administer rental assistance; and

Whether the applicant has sufficient, qualified staff to administer the proposed rental assistance program.

Funding Priorities: Among proposals that satisfy the selection standards set forth above, the agency shall give priority in awarding rental assistance funding under the housing trust fund program to those proposals that best address the greatest number of the following priorities:

- The extent to which the rental assistance program proposes to serve persons and families whose income at the time of initial occupancy does not exceed 30 percent of the median family income for the metropolitan area.
- The extent to which the amount of rent to be paid by tenants of the proposed housing does not exceed 30 percent of 30 percent of the area median family income as determined by HUD.
- For rental assistance proposals that propose to serve homeless or near homeless households, the extent to which the rental assistance program reflects locally determined priorities described in the Continuum of Care plan.
- The extent to which the applicant's plan to transition households off rental assistance under the housing trust fund program includes components necessary to stabilize a household by either increasing the households' income or locating a source of rental assistance that is not time limited.
- The extent to which the proposal addresses the housing needs of underserved populations.
- The extent to which the proposed administrative fees are reasonable and demonstrate cost effectiveness.
- The extent to which the rental subsidy is kept as low as possible without compromising the stability of the tenant.
- The extent to which other resources are not available to provide rental assistance in the service area, including but not limited to the availability of Section 8 rental assistance.

State Grants & Loans

- A temporary priority (subject to MHFA Board approval) for the extent to which the applicant is currently administering a RAFS contract with MHFA and has effectively utilized its RAFS funding.
- A temporary priority (subject to MHFA Board approval) for the extent to which the proposal transfers current RAFS participants to the applicant's program.

REVISED AGENCY-WIDE PROGRAM

Economic Development and Housing Challenge Program (Challenge):

The Agency is in the process of promulgating rules for the Economic Development and Housing Challenge Program. The following program information is contingent upon final approval of the program rules.

The 2001 Minnesota Legislature, at the request of the Agency, consolidated a number of programs into the Challenge Program, made the program permanent, and made some revisions to eligibility requirements.

The existing Agency programs that have been consolidated into the Challenge Program are:

- The Affordable Rental Investment Fund;
- The Community Rehabilitation Fund;
- The Employer Matching Grant Program; and
- The State Minnesota Urban and Rural Homesteading Program.

Eligible Uses of Funds:

The Challenge Program is eligible for construction, acquisition, rehabilitation, refinancing, conversion, demolition, construction financing for rental housing, permanent financing, gap financing, and interim financing and interest rate reduction for owner-occupied housing, which includes manufactured homes. The housing shall support economic development and redevelopment activities or job creation or job preservation within a community or region, and be affordable to the local workforce.

Challenge Program legislation requires that at least 50% of the Challenge funds must be utilized in developments that include a financial or in-kind contribution from an area employer, and a contribution from, at a minimum, one of the following:

- Local unit of government;
- Private philanthropic organization;
- Religious organization; or
- Charitable organization.

A priority will be given to developments that obtain contributions from an area employer, local unit of government, and at least one of the other three organizations listed above.

Additional eligibility requirements for owner-occupied housing are, the housing must be:

- attached or detached, residential in nature, and able to be used profitably for a minimum of ten years after the end of the loan term;
- occupied by an eligible homebuyer; and
- able to be completed within 20 months after the date of commitment from the Agency.

Additional eligibility requirements for rental housing are, the housing must:

- be residential in nature, and each unit must contain a kitchen and a bathroom;
- be permanent rental housing;
- be occupied by households with incomes at or below 80 percent of the greater of area or median income;
- be located in the same city or county if the housing development includes single family or duplex properties;
- contain a minimum of four housing units;
- have a use restriction that remains effect for at least 15 years.

Occupancy Requirements:

- *Owner-Occupied Housing:* Incomes at or below 115% of the greater of state or area median income.
- *Rental Housing:* Incomes at or below 80% of the greater of state or area median income.

Affordability Requirements:

Housing funded with the Challenge Program must be affordable to the local workforce. Affordable to the local workforce means that the amount of rent or housing payments made by the occupants of the housing funded under the Challenge Program is affordable based on the wages of the jobs being created or retained in the local area, the fastest growing jobs in the local area, the jobs with the most openings in the local area, or the wages of the workforce employed by organizations making contributions under the Challenge Program.

Rent or housing payments are affordable if they do not exceed 30 percent of the wages being paid in the local area.

Forms of Awards, Interest Rates and Terms:

- *Owner-Occupied Housing:* Challenge program funds are available for owner-occupied housing in the form of interim loans, deferred loans or grants.
 - *Interim Construction Loans.* Interim construction loans are available to acquire, rehabilitate, demolish, or construct owner-occupied housing. Construction loans will bear an interest rate of 2% unless this interest rate is economically infeasible and would adversely affect the affordability of the housing for the eligible homebuyers the applicant is proposing to serve. In this case the interim construction loan will be interest-free.

The term of an interim construction loan will be 20 months, however, the Agency may adjust the term based on requirements and conditions of other funding sources or economic analysis by the Agency of the financial feasibility of the housing. Principal and interest, if any, will be due and payable at the end of the 20-month term. Interim construction loans shall not be transferred to eligible homebuyers.
 - *Deferred Loans.* Interest-free deferred loans are available for interim or permanent financing. Deferred loans are used to help bridge funding gaps not covered by a first mortgage or other sources of funding for owner-occupied housing.

Deferred loans must be repaid (a) when the owner-occupied housing financed with the deferred loan is sold, transferred, or otherwise conveyed by the eligible homebuyer; (b) when the eligible homebuyer ceases to use owner-occupied housing financed with the deferred loan as owner-occupied housing; or (c) on the date that is 30 years from the date of the loan closing, whichever occurs first.
 - *Grants.* Grants may be provided if the funds will be used to finance (a) the gap that exists between the sale price of the owner-occupied housing and the construction costs of the housing, or (b) other eligible activities for which repayment is economically infeasible.
- *Rental Housing:* Challenge Program funds for rental housing will be provided in the form of a deferred loan. Grants may be provide if the applicant provides documentation that confirms requirements imposed by another funding source, greater than the amount of funding provided by the Agency, that the Agency's funds must be provided in the form of a grant.
 - *Loan type and term:* Deferred loans will be provided unless an amortizing loan is requested by the borrower and deemed financially feasible by the Agency. The loan term is generally 30 years from the date of the loan closing.

Challenge Program loans will bear a 0% interest rate unless a higher interest rate is necessary to allow the funds to be used with other funding sources, such as housing tax credits. Principal and interest, if any, will be due and payable at the end of the 30-year term.
 - *Grants:* Grants will generally have a term of 30 years from the date of the grant award.

Grants shall be forgiven in full at the end of the 30-year term if the grant recipient remains in compliance with the grant agreement throughout the grant term.

REVISED MULTIFAMILY PROGRAM**Housing Trust Fund (HTF):**

The Agency is in the process of promulgating rules for the Housing Trust Fund Program. The following program information is contingent upon final approval of the program rules.

The 2001 Minnesota Legislature, at the request of the Agency, made substantial changes to the HTF program including consolidation with the Agency's Rental Assistance for Family Stabilization. Established in 1988, the Housing Trust Fund still supports the development of affordable housing for low-income persons.

State Grants & Loans

Eligible Uses of Funds:

The HTF Program can be used to fund three general types of multifamily rental activities

- Capital funding;
- Operating subsidies; and
- Rental assistance

Capital Funding:

Eligible Properties: HTF capital funding can be used for construction and permanent financing of rental housing. The proposed housing development must consist of living accommodations for persons and families. State licensed nursing homes, board and care facilities and supervised living facilities are not eligible housing developments. Any development incorporating nursing care is not eligible for funding.

The proposed housing developments must consist of a minimum of four housing units.

If the proposed housing development will include single family or duplex properties, these properties must be located in the same city or county and contain a minimum of four units total.

Occupancy Requirements: At least 75% of HTF funds must be used for the benefit of households with incomes, at the time of initial occupancy, that do not exceed 30% of the median family income for the metropolitan area. The remaining funds must be used for households with incomes at or below 60 percent of median income as determined by HUD for the metropolitan area. Incomes may be adjusted for family size for families with five or more people. A household with a Section 8 housing assistance voucher is deemed to meet the income requirements of this item.

Interest Rate and Term: Funds will typically be awarded in the form of a deferred loan with a 0% interest rate. The principle amount of the loan is due and payable at the end of the 30-year term. Loans can be structured with a higher interest rate if necessary to allow use with other funding sources, such as housing tax credits. In this case, principal and interest shall be due and payable at the end of the 30-year term.

Funds can also be provided in the form of a grant if documentation is provided which confirms requirements imposed by another funding source that the agency's funds must be provided in the form of a grant. Grants shall be forgiven in full at the end of the 30-year term if the grant recipient remains in compliance with the grant agreement throughout the grant term.

The program will have use restrictions that must remain in effect for a minimum of 15 years.

Capital Funded Housing-related space: The program may be used to fund a portion of housing-related space such as community, administrative, or program space in the development with evidence of sufficient sources of funding to fund and operate this space.

Operating Subsidy

The agency may provide an operating subsidy from the housing trust fund with a priority for new construction of permanent supportive housing. The Agency has a limited amount of operating subsidy available on a demonstration basis and anticipates being able to fund one or two requests. Because there is a limited amount of funding available, the ability to leverage these funds with other funds available for operating costs will be a critical factor in the Agency's review of these proposals.

Form of Operating Subsidy: Two forms of operating subsidy are available - operating subsidy for unique costs, or operating subsidy for revenue shortfall. Operating subsidy is not intended to fund supportive services. An asset management fee is not an eligible item:

- *Operating Subsidy - Unique Costs:* The funds may be used to help fund the costs of operating rental housing that are unique to the operation of low-income rental housing and supportive housing. The operating costs must be critical both to the economic viability of the housing development and to serving the population for whom the housing is designed. Examples of operating costs eligible for funding include front desk operation, costs of operating service-related space, security, tenant coordinator, and interpretative services.
- *Operating Subsidy - Revenue Shortfall.* These funds may be used to help reduce the difference between the costs of operating the housing development and rents that the tenants expected to reside in the assisted units can afford to pay. An asset management fee is not an eligible item.

Eligible Applicants: To be eligible to apply for an operating subsidy under the HTF Program, an applicant must be:

- The owner of a housing development that is funded with a loan or a grant from the agency, or
- An applicant for a loan or grant from the agency to fund the acquisition, construction, or rehabilitation of rental housing.

Occupancy Requirements: At least 75% of HTF funds must be used for the benefit of persons and families whose income, at the time of initial occupancy, does not exceed 30% of the median family income for the metropolitan area. The remaining funds can be used for households with incomes at or below 60% of the median income for the metropolitan area.

Form of Award and Term: The agency will award the operating subsidy in the form of a grant. Both forms of subsidy may be provided for up to 10 years.

Rental Assistance

Rental assistance from the HTF program is intended to be temporary in nature and to provide assistance through an administrator to an individual household until 30% of the household's monthly income for the preceding four months equals or exceeds the gross market rent for the household's unit, or until the household receives rental assistance that is not time-limited, such as Section 8.

Eligible Activities: There are three options for applying for rental assistance including, tenant-based, sponsor-based, or project-based rental assistance. Funds may also be used to pay security deposits under the tenant-based and sponsor based options.

Administrators of tenant-based rental assistance and sponsor-based rental assistance may receive administrative fees or security deposits. Administrators of project-based rental assistance may not receive administrative fees under the housing trust fund program.

The following items are not eligible for funding under the housing trust fund: damage claims or fees, application fees, vacancy payments, and utility connection fees.

Eligible Applicants: Eligible applicants include those listed under the capital funding section, and:

- Applicants must demonstrate experience and ability in the administration of the type of rental assistance requested or must partner with an organization with demonstrated experience and ability to administer the type of rental assistance requested.
- Applicants for project-based rental assistance must be the owner of a rental housing development that previously received capital funding from the agency or an applicant for the Multifamily RFP to fund the acquisition, construction, or rehabilitation of rental housing.

Form of Awards: All types of rental assistance will be awarded in the form of a grant for up to 2 years. The agency will review the performance of administrators on an annual basis. Administrators may, at that annual review, apply for an extension of rental assistance funding. An administrator shall provide a rental subsidy to a tenant for no more than five consecutive years. This time limit does not apply when Section 8 rental assistance is not available in the administrator's service area.

The Agency will reduce the amount of rental assistance grant at any time if the number of households being served drops below the number targeted in the proposal.

Housing Trust Fund Program Contact:

Contact Julie Ann Kenney at (651) 297-3123 for questions concerning this program.

SINGLE FAMILY RFP

Limited Fund Program Information

The Limited Fund programs are highly competitive. The funding partners anticipate having approximately \$4-5 million available this round. Limited Fund proposals will be presented to a Selection Committee for evaluation, scoring and funding consideration. The Selection Committee is comprised of MHFA staff, representatives from the various funding partners and staff from the Minnesota Department of Trade and Economic Development (DTED).

I. Programs Available:

- Building Better Neighborhoods (BBN) - For qualified projects, Greater Minnesota Housing Fund provides gap financing (0% interest, deferred loans) for homebuyers and/or below market (3% interest) interim construction financing for the developer - available for land, infrastructure or construction. Employer - matching funds are also available.
- Community Revitalization Fund (CRV). The Family Housing Fund, Metropolitan Council, GMHF and MHFA provide funds for this program. The CRV is the umbrella name for a variety of limited funding resources that are provided under one fund. Funding resources include the Economic Development and Housing Challenge Program (Challenge Program) including a one time set-aside for no more than three exterior home improvement or lead hazard

State Grants & Loans

reduction projects, and interim construction financing for innovative and non-innovative construction projects. Funds are provided in the form of a loan, deferred loan or grant.

- If a CRV Proposal submitted includes a multifamily component, you must also submit a Multifamily RFP application. To obtain Multifamily application materials, refer to the Application Process section of this notice.
- Local Housing Incentive Account (LHIA). The Metropolitan Council provides funds for this program. Funds from this account are awarded as grants that must be matched on a dollar-for-dollar basis by the municipality receiving the funds. These grant funds may be used for costs associated with projects that help municipalities meet their negotiated housing goals, including, but not limited to acquisition, rehabilitation and construction of permanent affordable and life-cycle housing.

II. Types of Funds Available:

The type, terms and conditions of assistance provided will vary depending upon the needs outlined in each application and the availability of funding resources. Generally, if an activity may be addressed through a loan rather than a grant, a loan will be provided.

The contributing partners strongly encourage communities to leverage funds with the resources available through this RFP to address the local housing need(s) identified in their comprehensive housing plan.

III. Program Income Limits/Guidelines:

Please refer to each of the program concepts for specific income limits/guidelines.

Greater Minnesota Housing Fund only serves households with incomes that do not exceed 80% of the statewide median income adjusted by household size.

Family Housing Fund only serves households with incomes that do not exceed 80% of the Twin Cities metropolitan area median income.

Metropolitan Council only serves households with incomes that do not exceed 80% of the Twin Cities metropolitan area median income. For home rehab programs in fully developed suburbs and growth centers, Metropolitan Council will serve households up to 115% of median.

The Minnesota Department of Corrections - Institution Community Work Crew Affordable House Building Program only serves households with incomes at or below 80% of greater of state or area median income and the homes must be priced so as not to compete with the private residential construction industry.

Minnesota Housing Finance Agency only serves households with incomes that are at or below 115% of the greater of state or area median income.

Ongoing Program Information

Your agency may apply for any of these programs at any time during the year. Please contact the Program Manager listed below to obtain a program application. Ongoing applications are not included in this RFP.

- Community Activity Set Aside Program (CASA)

The CASA program supports and encourages partnerships between lenders, local governments and/or nonprofit housing organizations. The program provides access to pools of MHFA mortgage revenue bond funds set-aside to support those partnerships in meeting the homeownership objectives and housing credit needs of their communities by providing end loans with a subsidized interest rate to first-time homebuyers. Specifically, the program supports initiatives that target funds toward underserved populations, increase the stock of affordable housing or address a community specific community housing credit need. Partnerships apply for CASA funds. Partnerships consist of a MHFA contract lender or lender consortia and a community partner.

Program Manager: Kim Stuart (651) 296-9959 **Email:** kim.stuart@state.mn.us
Toll Free: 1-800-710-8871 **Fax:** (651) 296-8292

- Community Fix-up Fund (CFUF)

Encourages partnership efforts between local lenders, nonprofit organizations, local governments, and community organizations by providing funds to assist a designated community in addressing its specific home improvement needs or objectives. Applications must be submitted by participating MHFA Fix-up Fund lenders (or participating lender consortia), in partnership with a nonprofit organization delivering housing programs, or a city.

Program Manager: Judd Schultz (651) 297-3124 **Email:** judd.schultz@state.mn.us
Toll free: 1-800-710-8871 **Fax:** (651) 296-8292

- Entry Cost Homeownership Opportunity Program (ECHO)

Support community lending programs by private and public sector mortgage lenders by providing entry cost assistance (i.e., down payment and closing costs) for low to moderate income homebuyers. Lenders (including lender consortia) may apply for this program in partnership with a nonprofit organization or city, and do not need to be an MHFA participating lender.

Program Manager: Denise Gathman (651) 297-5146 **Email:** *denise.gathman@state.mn.us*
Toll free: 1-800-710-8871 **Fax:** (651) 296-8292

- Urban Indian Housing Program - Special (UIHP)

Supports innovative methods of providing affordable housing for urban American Indians, (in the 7 county metro area and cities of Duluth and Bemidji) including, but not limited to, the construction, purchase or rehabilitation of residential housing.

Programs Manager: Edward Niewinski (651) 297-3130 **Email:** *Edward.niewinski@state.mn.us*
Toll free: 1-800-710-8871 **Fax:** (651) 296-8292

- Institution Community Work Crew (ICWC) Affordable House Building Program

The Minnesota Department of Corrections (MNDOC) may provide assistance through the Institution Community Work Crew (ICWC) Affordable House Building Program. ICWC Affordable House Building Program can provide interest-free interim construction financing, but only to non-profit entities. A letter from the MNDOC must be attached to your proposal indicating if an ICWC program is or will be available in the area you have identified. Contact the Program Manager for future availability of funds.

Program Manager: Ron Solheid at MNDOC **Email:** *rsotheid@co.doc.state.mn.us*
(651) 603-0010 **Fax:** (651) 642-0457

MULTIFAMILY RFP

Amount of Funds Available

Approximately \$9 million in capital funding

Up to \$26.5 million from MARIF (Minnesota Families Affordable Rental Investment Fund Program)

Approximately \$250,000 in HTF Operating Subsidy (1-2 developments)

Up to \$4.25 million in HTF Rental Assistance (2 year program)

Types of Funding Available, Multifamily RFP

- **Deferred loan funds** are generally in the form of a zero percent (0%), 30 year deferred or subordinate loan or grant. Actual interest rate, term and type of loan or grant will vary depending upon recommended funding source(s) and will be discussed in detail with sponsors upon selection for funding. The Agency will allow non-recourse debt to single-asset entities.

For developments using the **Federal Housing Tax Credit Program**, loans may be structured with an interest rate to be eligible for inclusion in qualified basis. More information on the Housing Tax Credit Program follows this section.

- **Long term fixed rate mortgages** for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt are also available. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR). Separate application materials are not required for the first mortgage programs.

First mortgage programs may be provided for new construction of housing tax credit developments. In addition, MHFA is interested in providing financing for developments with 20% project-based rental assistance and 80% market rate units, where the objective would be cost containment and creation of developments of scale (50 to 100 units). The Agency will allow non-recourse debt to single-asset entities.

- **Operating Subsidies:** A limited amount of funding is available through the Housing Trust Fund Program as explained previously in the Revised Multifamily Program section.
- **Rental Assistance:** is available through the Housing Trust Fund Program as explained previously in the Revised Multifamily Program section.

State Grants & Loans

Eligible Projects

In general, the RFP funding sources can be used for a variety of activities and housing types. Eligible activities include new construction, acquisition of land or existing structures, rehabilitation of housing, refinancing of existing loans, conversion to housing from another use, demolition, construction financing, permanent financing. Eligible housing types include permanent housing, preservation of federally assisted housing, temporary or transitional housing, emergency shelters, supportive housing and HIV/AIDS housing/services.

Developments in which economic integration is provided or maintained are encouraged.

Eligible projects must contain a minimum of four units. Scattered site developments, must be located in the same city or county and also contain a minimum of four units.

Developments with age restrictions of 55 and older are ineligible under most funding sources. State licensed nursing homes, board and care facilities and supervised living facilities are not eligible for funding. Any development providing nursing care services is not eligible for funding.

Income Limits

The overall goal of the Multifamily RFP is to serve lower income households.

Funding sources with an objective of addressing needs identified in a continuum of care plan generally allow incomes up to 60% of median income in the metropolitan area. However, there is a priority for, and 75% of the funding for this purpose, must serve households with incomes at or below 30% of the median income in the metropolitan area. Incomes can be adjusted for family size for families with five or more people. A household with a Section 8 housing assistance voucher is deemed to meet these income requirements.

Funding sources with an objective of addressing housing needs of the local workforce generally allow incomes up to 80% of the greater of statewide or area median income.

Gross Rent Limits

For housing proposals addressing needs identified in a continuum of care plan (i.e., shelters, transitional housing or permanent supportive housing) maximum gross rents shall generally be equal to or less than 30% of the seven-county metro area median income.

For permanent rental housing proposals, or proposals addressing the needs of the local workforce, maximum gross rents shall be affordable based on the wage levels of the jobs being created / retained. Rents generally shall not exceed 30% of 50% of area median income, depending upon the underlying funding sources.

The relationship between proposed rent levels and Fair Market Rents is an important factor because it is crucial that Section 8 voucher holders be able to rent units in MHFA-financed developments.

**NOTE: Priority will generally be given to those developments serving the lowest income households.*

HOUSING TAX CREDIT PROGRAM

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting 2002 Round 2 competition applications for reservation and allocation of Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised.

Housing Tax Credits offer a ten-year reduction in tax liability to owners and investors in eligible low -income rental housing developments involving new construction, rehabilitation or existing rental housing with rehabilitation. General information on tax credit availability is posted on MHFA's internet **website:** www.mhfa.state.mn.us

Total estimated 2002 tax credits available for the State of Minnesota is \$8.6 million. The total estimated 2002 tax credits available for 2002 Round 2 is \$295,544. MHFA has estimated the housing credit ceiling for Minnesota for calendar year 2002 based upon the amounts of the housing credit ceiling for calendar year 2001. The actual housing credit ceiling for the year 2002 will not be known by MHFA until some time in February or March of 2002. In early 2002 the IRS will make a final determination of Minnesota's population component used in determining Minnesota's final year 2002 housing credit ceiling. The IRS will publish this population component some time in February or March of 2002.

As in past competition years, in 2002 Round 2 a priority will be given to proposals which have previously received an allocation of tax credits and are in need of a supplemental allocation. MHFA will be establishing a Wait List from the non-selected proposals remaining at the conclusion of the 2002 Round 2 competition. Proposals from this list will be considered to receive returned credits, if any, which become available for allocation prior to October 1, 2002.

The Minnesota Housing Finance Agency's 2002 Housing Tax Credit Program, Qualified Allocation Plan and related manual contents have been revised in several key respects as listed below. Additional detail regarding these changes can be found on MHFA's internet web site.

PROGRAM CHANGES: Modification to Non-Profit Points (elimination) and Non-Profit Set Aside (increase), Non Profit Set Aside Limitation for Project in Suballocator's Jurisdiction, Material and Design Standards (revised), Increased Development Cap (to \$350,000), Project Location (criteria redefinition).

SCORING: [Selection Priorities] — Large Family Housing (redefine, new construction only), Single Room Occupancy housing (eligible units/affordable rents, redefinition/clarification), Rehabilitation and Family Rehabilitation (combination of priorities), Special Populations (service plan requirement), Economic integration (points revision), Strategically Target Resources (scoring definitions and pointing structure revision), Government Participation/Rent Reduction (clarifications), Underserved Cities (renamed Project Location, prioritized toward job and household growth), High Cost Areas (reclassify as selection priority), Development Cost Reduction (clarifications), Qualified Non-Profit (priority removed). [Preference Priorities] — Serves Lowest Income Tenants/Rent Reduction (clarifications), QCT and Community Revitalization. (new preference priority, Section 42)

No significant changes have been made to the tax credit materials or application process for 2002 Round 2. MHFA *will not* be holding a formal tax credit application training session for the 2002 Round 2 RFP.

Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1(a)(2).

Local Administration of Tax Credit

For Round 2, applicants within Suballocator or Joint Powers Suballocator jurisdictions apply directly to the MHFA.

MHFA Administration Tax Credits

In all tax credit rounds, applicants with eligible buildings in the balance of the state, not within the jurisdiction of a suballocator, may apply to the MHFA for an allocation of housing tax credits.

Each year, 10 percent of the state ceiling is set aside by MHFA for qualified 501(c)(3) and 501(c)(4) nonprofits as required by Section 42 of the Internal Revenue Code of 1986. MHFA and suballocators may reserve an additional 5 percent for a total annual nonprofit set aside of 15 percent. Qualified nonprofits can apply to MHFA for these credits, regardless of the geographic location of the proposed low income housing development, as specified in the allocation plan.

APPLICATION PROCESS

Application materials can be accessed as follows:

- **Single Family:** The Single Family application packet is available on the MHFA **website:** www.mhfa.state.mn.us in a pdf format. If you are unable to access our website **phone:** (651) 297-3118, or **Toll free:** 1-800-710-8871 to obtain a hard copy.
- **Multifamily RFP and Housing Tax Credits (2002 Round 2):** The Multifamily and Housing Tax Credit application packets are available in hard copy and on the MHFA **website:** www.mhfa.state.mn.us. Please check the website for availability. The application form is also available on electronic disc. If utilizing the disc form of application, hard copy or web site application packets will also be needed to complete the entire application. To obtain a hard copy of the application packet and/or an electronic application disc, **phone:** (651) 297-3294 or **Toll free:** 1-800-657-3701.

Electronic Discs - Multifamily RFP and Housing Tax Credits only

The Multifamily RFP and Housing Tax Credit application form has been revised and updated since the last round of the RFP. Do not use the outdated versions of the electronic disc for making applications to this funding round. Use only the disc application form version labeled Spring 2002 Multifamily RFP / Housing Tax Credits (2002 Round2). If you have any question as to the version of the disc you are using please contact Tamara Wilson, (651) 296-4451 or Mary Hieb, (651) 215-6238 at MHFA for assistance in clarifying this information.

State Grants & Loans

RFP INFORMATION AND TECHNICAL ASSISTANCE SESSIONS:

The MHFA is planning on offering training on new programs and technical assistance in early to mid January. Please check the MHFA **website:** www.mhfa.state.mn.us for information regarding dates, times and locations and registration information.

IMPORTANT DATES:

Proposal(s) Due: (Faxed, emailed, or late applications will **not** be accepted.)

- **Multifamily and Housing Tax Credit (2002 Round 2):** The original application and all attachments plus three (3) copies of the application and all attachments must be *received by* the MHFA by 5:00 p.m., on or before Thursday, February 7, 2002.
- **Single Family:** The original application and all attachments plus two (2) copies of the application and all attachments must be *received by* the MHFA by 5:00 p.m., on or before Thursday, February 14, 2002.

MHFA Board Approval:

- All MHFA funding recommendations will be made at the April 25, 2002 MHFA Board meeting.

Fund Notification:

- Notification of Single Family approved selected Applications will be posted on the MHFA's **website:** www.mhfa.state.mn.us after the Board meeting noted above and Loan/Grant Agreements will be mailed within 20 working days of the approval.
- Notification of Multifamily and Housing Tax Credit selected proposals will be posted on the MHFA's **website:** www.mhfa.state.mn.us after the Board meeting noted above. Selection letters will be mailed within 20 days of the approval.

This request for proposals is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to receipt of public assistance, disability, or family status.

Minnesota Housing Finance Agency

Notice of Request for Proposals for Administrators for the Homeownership Education, Counseling and Training Fund (HECAT)

The Minnesota Housing Finance Agency (MHFA) announces that it is accepting Requests for Proposals for a limited funds release available under the Homeownership Education, Counseling and Training Fund-Historically Underserved Populations (HECAT-HUP) for pre-purchase comprehensive homebuyer training, education, support and/or counseling activities. The purpose of this RFP is to provide financial support to eligible organizations wishing to target non-English-speaking persons, recent immigrants, and historically underserved populations identified as individuals and/or households of color, single heads of households with minor children, and disabled individuals through the creation of new activities or the expansion or focus on existing activities, services and partnerships designed to offer homebuyer education and counseling.

Proposals are hereby solicited from community-based nonprofit organizations as defined in *Minnesota Statutes* 1992, section 462A.03, subdivision 22.

Funding preference will be given to applicants who demonstrate the greatest ability to effectively and uniquely target resources to historically underserved populations and leverage local investment and partnerships.

The deadline for receipt of proposals is **4:00 p.m., Friday, January 4, 2002**. All proposals will be evaluated by the Agency in accordance with documented threshold requirement and MHFA strategic selection priorities. Interested applicants should obtain a proposal packet that contains specific information and instructions for proposals submission from the Minnesota Housing Finance Agency **website:** www.mhfa.state.mn.us or by contacting the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998. Attention: Carrie Haverkamp, or by **phone:** (651) 296-8215 or 1-800-710-8871. The **TTY** number is 1-800-297-2361.

Board of Water and Soil Resources

Announcement of Application Period for 2002-2003 Natural Resources Block Grants

The Board of Water and Soil Resources (BWSR) is accepting applications from counties for the 2002 - 2003 Natural Resources Block Grants. The Natural Resources Block Grant includes the following base grant components:

- Local Implementation of Comprehensive Water Plans;
- Local Administration of the Wetland Conservation Act;
- Local Administration of DNR Approved Shoreland Management Programs;
- County Administration of the MPCA Feedlot Permit Program; and
- County Administration of the MPCA Individual Sewage Treatment Systems (ISTS) Program.

The BWSR has \$7,328,546 available in 2002 and \$7,243,546 in 2003 for these grants. To be considered, applications must be received by the BWSR on or before February 1, 2002.

County Auditors have been notified of this application period. Any other local unit of government that wishes to be notified or obtain an Application can do so at www.bwsr.state.mn.us or contact the BWSR by writing to the Executive Director at the following address:

Ronald Harnack
Executive Director
Board of Water and Soil Resources
One West Water Street, Suite 200
St. Paul, MN 55107

State Contracts

Informal Solicitations

Effective December 1, 2001, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration's, Materials Management Division's web page (www.mmd.admin.state.mn.us).

Formal Requests for Proposals

Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Children, Families and Learning

Withdrawal of Request for Proposal Regarding the Design, Development and Implementation of the Basic Skills Tests in Reading and Mathematics, and the Minnesota Comprehensive Assessments at Grades Three, Five and Seven, published in the *State Register* on November 13, 2001

The Department of Children, Families and Learning hereby withdraws its Request for Proposal Regarding the Design, Development and Implementation of the Basic Skills Tests in Reading and Mathematics, and the Minnesota Comprehensive Assessments at Grades Three, Five and Seven, published in the *State Register* on November 13, 2001.

Department of Children, Families and Learning

Notice of Request for Proposal for Design, Development and Implementation of the Minnesota Basic Skills Tests in Reading and Mathematics and the Minnesota Comprehensive Assessments at Grades Three, Five and Seven

The Department of Children, Families and Learning is soliciting proposals from qualified vendors to design and implement a comprehensive assessment system in the Basic Skills tests in reading and mathematics for grades eight through twelve, and the Minnesota Comprehensive Assessments in reading and mathematics at grades three, five and seven, and writing at grade five. These tests will fulfill the requirements of the statewide testing law *Minnesota Statutes* § 121.1113 at grades three, five and eight and Graduation Standards Requirements for the Basic Skills for diploma eligibility.

The Department has estimated the cost of this project should not exceed \$34,700,000 over the five-year period of the RFP. The anticipated project period is January 2, 2002 to June 30, 2006.

The initial contract period for Goal 1 will be from January 4, 2002 to June 30, 2002. The initial contract period for Goal 2 will be from January 8, 2002 to June 30, 2002. The initial contract period for Goals 3, 4 and 5 will be from March 1, 2002 through June 30, 2003.

For a complete copy of the Request for Proposal, please contact:

Kathy Eiler
Department of Children, Families & Learning
1500 Highway 36 West
Roseville, Minnesota 55113-4567
Phone: (651) 582-8830
Fax: (651) 582-8874

Proposals for Goals 1 and 2 are due no later than 3:00 p.m. December 17, 2001.

Proposals for Goals 3, 4 and 5 are due no later than 3:00 p.m. January 23, 2002.

Department of Corrections

Minnesota Correctional Facility-Red Wing

Notice of Request for Proposals for Mentoring Program for Male Juveniles with a Community Reintegration Component

The Minnesota Department of Corrections, Minnesota Correctional Facility-Red Wing (MCF-Red Wing) is issuing this Request for Proposal (RFP) to establish one or more Professional/Technical Service Contract(s) with an organization to administer mentor programming with a community reintegration component for male juveniles incarcerated at MCF-Red Wing, and to provide fiscal over-site and general program compliance. Fifty percent of mentors will be of color or be culturally knowledgeable and competent. Partnership and collaboration among agencies is highly recommended.

It is anticipated that the contract(s) resulting from the RFP will be for a period from February 15, 2002 to June 30, 2003, with two one-year extensions possible at the discretion of MCF-Red Wing, and with concurrence of the potential contractor. Dollar amount for the contract(s) is estimated at \$75,000 annually, and must not exceed \$103,125 for sixteen and one-half months. This proposal does not obligate the agency to spend the estimated dollar amount.

Potential responders who wish a copy of the full RFP may call, write, or e-mail and a copy will be sent free of charge to interested vendors. Proposals must be submitted to the department contact listed below. Other state personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below **no later than 4:00 p.m., CST, Friday, January 11, 2002.**

Tim O'Daniel, Director of Transition Services
MCF-Red Wing
1079 Highway 292
Red Wing, MN 55066
Phone: (651) 267-3666
Fax: (651) 267-3761
Email: todaniel@rw.doc.state.mn.us

Department of Corrections

Notice of Request for Proposals for HIV/STD Education and Risk Program at Minnesota Correctional Facilities

The Minnesota Department of Corrections (DOC) is requesting proposals for multiple vendors to develop, implement and evaluate a model HIV/STD Education and Risk Program designed to facilitate behavior change among offenders in the statewide DOC correctional facilities.

The goal of this service is to help offenders develop strategies that will allow them to learn and consistently observe risk-reduction behavior.

It is anticipated that the contracts resulting from this RFP will be for a period of 11 months effective February 1, 2002. Dollar amount for these contracts must not exceed \$31,005.00.

Potential responders interested in submitting a proposal should call, write, fax or e-mail for the full RFP which will be sent free of charge to interested vendors. Proposals must be submitted to the department contact listed below. Other state personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below **no later than 2:30 p.m., CST, December 26, 2001.**

Steven Moore, Health Services Unit
Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Phone: (651) 603-0012
Fax: (651) 523-7139
Email: *smoore@co.doc.state.mn.us*

Department of Health

Center for Health Statistics

Notice of Availability of Contract for the Minnesota Adult Tobacco Survey

The Minnesota Department of Health (MDH) is requesting proposals for the purpose of conducting the Minnesota Adult Tobacco Survey in 2002. The Contractor will select a random sample of Minnesota adults and complete 2,900 telephone interviews, including 1,200 with young adults 18-24 years old. The resulting data will help public and private sector organizations develop effective tobacco reduction strategies. MDH has up to \$100,000 available for this project. Work is proposed to start after January 30, 2002.

A copy of the full Request for Proposals may be obtained at <http://www.health.state.mn.us/>. Scroll to "Announcements" and then to "RFPs/Rule Proposals" and click on "Request for Proposals: The Minnesota Adult Tobacco Survey."

A copy can also be obtained by contacting Brian Zupan, Minnesota Department of Health, 460 Metro Square Building, P.O. Box 64975, St. Paul, MN 55164-0975; **phone:** (651) 296-9748; **Fax:** (651) 296-9362; or **email:** *brian.zupan@health.state.mn.us*.

To be considered, proposals must be received by 4:00 p.m., CST on Thursday, January 3, 2002 at the Minnesota Department of Health, ATTN: Brian Zupan, 121 East 7th Place, Suite 400, St. Paul, MN 55101 (delivery address) or Minnesota Department of Health, ATTN: Brian Zupan, 460 Metro Square Building, P.O. Box 64975, St. Paul, MN 55164-0975 (mailing address). **Late proposals will not be considered.** Faxed or emailed proposals will **NOT** be considered.

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

Department of Trade and Economic Development

Notice of Requests for Proposals to Contract for Business Due Diligence Services

The Minnesota Department of Trade and Economic Development is seeking proposals from qualified firms to undertake and coordinate business due diligence services regarding a pilot demonstration hydrometallurgy process mining facility in Hoyt Lakes, Minnesota.

Background:

Teck Cominco Limited and Teck Cominco American Incorporated (“Teck Cominco”) is an integrated natural resource group whose principal activities are exploration, mining, smelting, and refining of various non-ferrous minerals. They are a leader in the advanced technology of hydrometallurgy process for copper, nickel, cobalt and various precious metals. Teck Cominco proposes to build a pilot demonstration scale project at the former LTV mine in Hoyt Lakes, Minnesota, now owned by Cleveland-Cliffs to further investigate and develop the technical, environmental and operational issues (hereinafter referred to as the “Project”), that will provide the necessary information to develop a full scale commercial facility. Teck Cominco has requested financial assistance from the State of Minnesota, which if approved, would generate an appropriate return on investment. DTED is seeking business due diligence services to assist the investment decision.

Services Requested:

DTED has identified the primary, relevant areas of inquiry. In general terms, DTED is seeking assistance in answering the following broad questions:

Is the technology viable and is it competitive with other existing and emerging technologies?

Is there sufficient demand for the products and at what price?

Are the plant operating assumptions reasonable and can they yield copper/nickel at a price that is acceptable to the market?

Overall, the successful respondent will need to identify areas of risk and uncertainty, strengths, weaknesses of the Project proposal, and any significant unaddressed issues relating to the Project. The contractor will have to identify any technical obstacles that would prevent further investigation into the Project. Respondents will have full access to all Teck Cominco materials and staff in order to conduct the due diligence. The final report will be provided, along with a preliminary and final presentation, within 3 months after the contract has been executed.

Joint Proposals:

Joint proposals from more than one firm will be accepted. As an example, a technology/science consultant may wish to propose jointly with a market analysis consultant. In addition, proposals will be accepted from parties wishing to perform only a portion of the analysis. Respondents that only propose limited services will be considered if DTED can achieve the full scope of services through combining proposals in a satisfactory manner. Respondents that are providing comprehensive services should indicate if they are willing to conduct only a portion of the overall services, and their proposal should indicate the cost and providers of the limited services.

Additional Information:

Additional information concerning the Project description and relevant areas of due diligence assessment can be obtained from Paul A. Moe, Director of Business Finance **phone** at: (651) 297-1391.

Proposal Information:

The proposal must include the following information:

Respondent's Background: Please describe the overall background and experience of the organization.

Key Personnel: Please describe the background and expertise of the key members of the due diligence team.

Related Experience:	Describe any similar engagements and provide copies or summaries of the work product.
Services:	Describe in detail what services and activities will be conducted and the nature of the final product/report.
Cost:	Describe all costs included in the services and the preferred billing cycle.

Targeted Group Businesses:

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline **phone** at: (651) 296-2600 or **TTY**: (651) 282-5799.

Proposal Submission:

Please submit five original copies, with attached materials, to:

Mr. Paul. A. Moe, Director of Business Finance
Minnesota Department of Trade and Economic Development
500 Metro Square
121 7th Place East
St. Paul, MN 55101

All proposals must be received by **4:30 p.m. December 31, 2001. Late proposals will not be considered.** This request for proposal does not obligate the Department to execute a contract or expend funds. In compliance with *Minnesota Statutes* 16C.08, 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.

Please direct any inquiries to Paul A. Moe **phone** at: (651) 297-1391. Other department personnel are not allowed to discuss the Request for Proposal with anyone, including respondents before the proposal deadline.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of 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.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

University of Minnesota

2001-02 Prequalification of General Contractors to Perform Construction Services at the University of Minnesota Twin Cities Campus

The University of Minnesota is accepting submittals for its General Contractor Major Construction Prequalification Program (for construction projects valued at \$1 million or more). Only contractors who have successfully prequalified under this program may bid or propose on construction projects valued at \$1 million or more on the University of Minnesota's Twin Cities Campus.

The University is neither seeking nor accepting submittals for its Small Project Category (for projects under \$1 million) at this time. Contractors will be notified by mail and separate advertisement when updated information about the Small Project Category is available.

All general contractors interested in prequalifying in the Major Construction Prequalification Programs are required to submit information using the forms provided in the University of Minnesota's General Contractor Prequalification Document Package. Successful prequalification will be determined by evaluation of the information provided in the contractor's completed submittal of this document package.

General Contractors prequalified in the Major Construction Prequalification Program in 2000-01 have had their prequalification renewed through January 31, 2003, and are not required to submit any documents at this time. However, at their sole option, these contractors may update their project history information if it would increase the dollar limit in their individual prequalification category. All other contractors must complete and submit all documents contained in the Prequalification Document Package.

Prequalification Document Package will be available for distribution beginning Friday November 30, 2001. The prequalification package contains a hard copy (paper version), and a 3-1/2" IBM compatible diskette (electronic version) containing Microsoft Word for Windows files.

Copies of the document package may be requested any time by contacting Kevin McCourt by **email:** mccourt@facm.umn.edu, or by **phone:** (612) 626-8973. Requests for document packages will be fulfilled by mail on or after November 30, 2001. Copies may also be picked up in person beginning November 30, 2001 at the following location:

University of Minnesota
400 Donhowe Building
319 15th Avenue Southeast
Minneapolis, MN 55455

The deadline for submittals is 2:00 p.m., Monday, January 14, 2002.

Available at Minnesota Bookstore

Order form on back page

The Pheasant in Minnesota

A fascinating "magazine" devoted to the ring-neck pheasant. Included is the history of the bird, its origin, development and introduction to this region. Color photos, softcover, 48pp. **Stock No. 9-13 \$5.95 + shpg. & sales tax**

Dressing & Cooking Wild Game

Now that you've "bagged your catch", what do you do with it? This book offers clear instructions along with color photos to walk you step-by-step from field dressing and transport to hanging, skinning, butchering, dressing, "clean-up" and freezing. With the hard work out of the way, then cook up one of the mouth-watering recipes for cooking big and small game, upland game birds, and waterfowl. Hardcover, 160pp.

Stock No. 19-38 \$19.95 + shpg. & sales tax

651.297.3000 * 800.657.3757

Mon-Fri 8am-5pm

www.minnesotasbookstore.com

It's Hunting Season!



Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp.

Stock No. 19-31 \$5.99 + shpg. & sales tax

Hunter Education Training Course

Great tool for teaching the beginner the key to safe, successful hunting. This course includes the Hunter's Field Guide (described above), a Workbook and a Safety video. Excellent refresher for the experienced hunter, too! **Stock No. 19-111 ONLY \$14.99 + shpg. & sales tax**

Animal Tracks of Minnesota & Wisconsin

Great drawings and quick reference captions provide a solid picture of more than 60 different mammals, birds and reptiles of our area. Truly pocket-sized, this field guide identifies animal tracks charting the size of fore prints and hind prints, stride and strattle patterns, and descriptive information about the creature's behavior. Softcover, 160pp.

Stock No. 9-72 \$6.95 + shpg. & sales tax

Hunting and Wildlife Guides



Celebrating our Rural Heritage



Death of the Dream: *Farmhouses in the Heartland*

Death of the Dream tells the story of America's rural past and a forgotten lifestyle-- the vanishing farmhouse of the Midwest and the rich lives that were lived in them. Trace the evolution of the classic farmhouse --from its humble origins through the high tech present-- and learn about the impact that changing economies have had on lives of midwestern farm families. 87 illustrations, including 72 tritone photo plates. Softcover, 128pp.

Stock No. 19-19 \$24.95 + shipping & sales tax

Small Town Minnesota: *A to Z*

Author and photographer Tony Andersen toured Minnesota focusing on 26 communities - one for each letter in the alphabet - that are home to less than 1,000 residents. Follow along with Tony as he writes of the generosity and friendly curiosity of the people on the rural landscape and be reminded of the beauty a small town offers through 160 color photographs.

Stock No. 19-2 \$24.95 + shipping & sales tax

Visit our web site:

www.minnesotasbookstore.com

