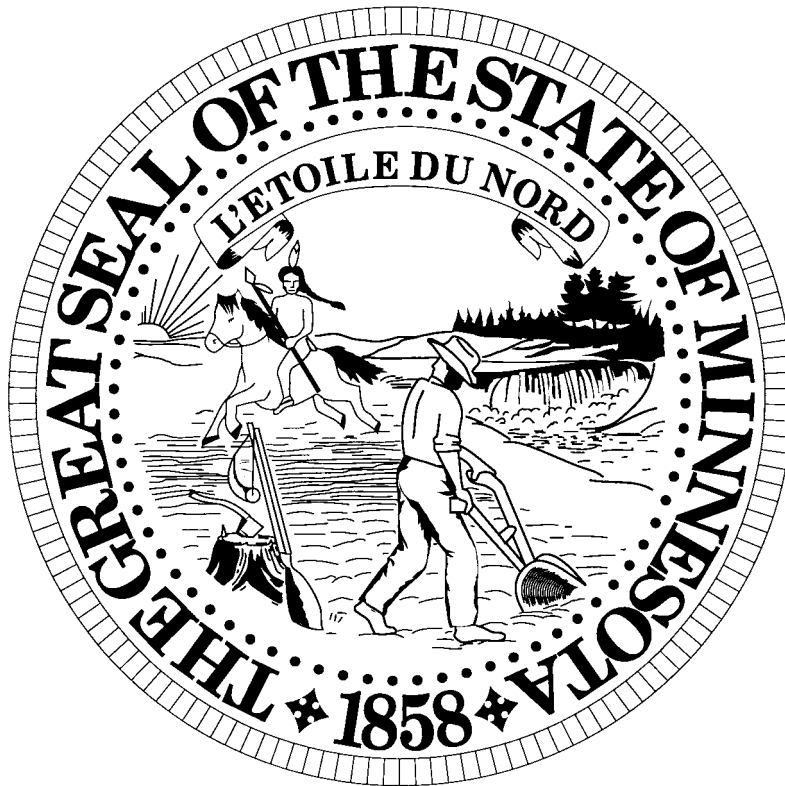


Minnesota

# 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 1 December 2003**  
**Volume 28, Number 22**  
**Pages 671 - 694**

# 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- proposed, adopted, exempt, expedited emergency and withdrawn rules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

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

### Printing Schedule and Submission Deadlines

Vol. 28 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#22	Monday 1 December	<b>NOON MONDAY 24 NOVEMBER</b>	Noon Wednesday 19 November
#23	Monday 8 December	Noon Tuesday 2 December	Noon Wednesday 26 November
#24	Monday 15 December	Noon Tuesday 9 December	Noon Wednesday 3 December
#25	Monday 22 December	Noon Tuesday 16 December	Noon Wednesday 10 December

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U.S. Government Printing Office – Fax: (202) 512-1262  
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St. Paul, MN 55155 Website: [www.courts.state.mn.us](http://www.courts.state.mn.us)

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## 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.

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## Commissioner's Orders

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

### Department of Transportation

#### Order No. 87429: Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under *Minnesota Statutes* § 169.825

**WHEREAS**, the Commissioner of Transportation has made his Order No. 80000, dated March 10, 1994, which order has been amended by Orders No's. 80212, 80246, 80580, 80861, 80881, 81000, 81092, 81371, 81511, 81557, 81641, 82955, 83138, 83536, 83616, 83720, 84056, 84222, 84232, 84256, 84353, 84354, 84439, 84532, 84902, 85225, 85246, 85668, 85784, 85922, 85932, 86170, 86468, 86931, and 87349 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under *Minnesota Statutes* § 169.825, and

**WHEREAS**, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under *Minnesota Statutes* § 169.825.

IT IS HEREBY ORDERED that Commissioner of Transportation Order No. 80000 is further amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

#### COUNTY ROADS

##### CARLTON COUNTY

— C.S.A.H. 1 FROM T.H. MN210 TO T.H. MN23 (12 MONTH)

Dated this 31st day of October, 2003

Carol Molnau  
Lt. Governor/Commissioner

## Official Notices

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

### Minnesota Board of Accountancy

#### REQUEST FOR COMMENTS on Possible Amendment to Rules Relating to Licensure and Regulation of Accountants, *Minnesota Rules* Chapter 1105

**Subject of Rule.** The Board of Accountancy requests comments on its planned amendment to rules relating to the licensure and regulation of accountants. The Board is considering rule amendments that will clarify several rule provisions which were adopted in early 2003. Further, the amendments will expand the requirements for continuing professional education to certain applicants, impose additional requirements on licensees and applicants that are employed by a firm issued a permit by the Board, clarify certain rules and make other changes.

**Persons Affected.** The amendment to the rules would likely affect all persons regulated by the Board. The Board does not contemplate appointing an advisory committee to comment on the possible rules amendments.

**Statutory Authority.** *Minnesota Statutes*, section 326A.02 authorizes the Board to adopt rules governing its administration and enforcement of *Minnesota Statutes*, section 326A, and the conduct of licensees and persons registered under *Minnesota Statutes*, sections 326A.06, paragraph (b).

**Public Comment.** Interested persons or groups may submit comments or information on possible rule amendments in writing or orally until 4:30 p.m. on February 19, 2004. The Board does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules. Written or oral comments, questions, requests to receive a draft of the rule amendments when they have been prepared, and requests for more information on these possible rule amendments should be addressed to: Dennis J. Poppenhagen at the Minnesota Board of Accountancy, Suite 125, 85 East 7th Place, St. Paul, MN 55101, **Telephone:** (651) 296-7937. TTY users may call (651) 297-5353.

# Official Notices

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Comments submitted in response to this notice may not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: November 24, 2003

Dennis Poppenhagen  
Executive Secretary

## Agricultural Chemical Response Compensation Board

### REQUEST FOR COMMENTS on Possible Amendments to Rules Governing the Agricultural Chemical Response Compensation Board, *Minnesota Rules 1512.0200, and 1512.1000*

**Subject of the Rule.** The Minnesota Department of Agriculture requests comments on its planned amendments to rules governing Agricultural Chemical Response Compensation Board meetings and compensation review. The department is considering amendments that address board meeting procedures.

**Persons Affected.** The amendments to rules would likely affect eligible parties and consulting firms that work with agricultural chemical contamination. The department does not contemplate appointing an advisory committee to comment on the planned rules.

**Statutory Authority.** *Minnesota Statutes*, section 18E.05, Subdivision 1.(c) requires the board to adopt rules regarding its practices and procedures for determining eligibility for and amount of reimbursement and investigation of claims.

**Public Comment.** Interested persons or groups may submit comments or information on the possible rules in writing or orally until 4:30 p.m. on January 30, 2004. The department does not anticipate that a draft of the rule will be available before publication of the proposed rule. Written or oral comments, questions, requests to receive a draft proposed rules when prepared, and requests for more information on the possible rules should be addressed to: Victoria Cook, Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107: **Phone** (651) 296-3349, **Fax** (651) 297-2271, **Email:** [victoria.cook@state.mn.us](mailto:victoria.cook@state.mn.us). TTY users may contact the Department of Agriculture through Minnesota Relay Service at (800) 627-3529.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 19 November 2003

Victoria Cook  
Executive Director

## Board of Animal Health

### Quarterly Meeting Notice

The Board of Animal Health will hold its quarterly meeting on Wednesday December 10th, 2003 at 9:30 a.m. at the Days Inn by the Airport, 1901 Killebrew Dr, Bloomington, MN 55425

Dated: November 24, 2003

## Department of Human Services

### Children & Family Services

### Child Support Enforcement Division

### Notice Concerning Acceptance of Electronic Third Party Payments for Child Support from Qualified Vendors

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services, Child Support Enforcement Division, will now accept electronic third party payments from qualified vendors providing "bill pay" services to non-custodial parents who have a child support obligation that is paid to the state.

To qualify, vendors must provide electronic payments to the Minnesota Child Support Payment Center (CSPC) in a method and process agreed to by the state. Payments to the CSPC must be guaranteed. The vendor must take responsibility for collecting any insufficient funds due to the vendor's accepting payments from obligors from funding sources that are not guaranteed (e.g. personal checks, credit card payments, etc.). The vendor may not charge a fee to the state for providing this service. The vendor must follow CS Banking Conventions and NACHA standards. The State will not market for any particular vendor.

During the course of instituting the acceptance of such payments, the state may determine that other requirements must also be followed by participating vendors. This notice does not obligate the state to accept payments from vendors that do not meet the

above listed requirements or later requirements deemed by the state to be necessary for the successful operation of this service. The state reserves the right to reject any and all responses or terminate the acceptance of these services from any and all vendors if it is considered to be in the state's best interest.

Questions regarding this Notice should be addressed to:

Attention: Sabrina Clark  
Minnesota Child Support Payment Center  
P.O. Box 64326  
St. Paul, MN 55164-0326  
**Phone** (651) 215-0152  
[sabrina.clark@state.mn.us](mailto:sabrina.clark@state.mn.us)

## Department of Human Services

### Vacancies on Medicaid Citizens' Advisory Committee

Pursuant to title 42, part 431, section 12 (42 CFR §431.12) of the *Code of Federal Regulations* governing the Medicaid Program, the Minnesota Department of Human Services seeks applications from Medicaid (Medical Assistance) recipients and others interested in serving on the Medicaid Citizens' Advisory Committee. The purpose of the committee is to ensure that continued high quality health and medical services are provided to low-income persons. The committee, representing Medicaid recipients, advises the Department and helps define what the Medicaid Program should be in relationship to future technological needs. Specifically, the committee explores designated problem areas, evaluates Department programs, makes specific recommendations and resolutions, and contributes to the formulations of Department policy and standards.

In the past two years, the committee heard presentations about and advised the Department on the Department's health care proposals; the Department's web-based health care eligibility system; compliance with federal privacy, security, and electronic data transmission requirements; the Department's draft Quality Assessment and Performance Improvement Strategy to ensure the delivery of quality managed care health care; the Department's initiative to develop new models for dental care delivery; and recent expansions of Medical Assistance adult mental health services.

New members will be appointed for two-year terms, beginning in January, 2004. Committee meetings are held up to four times a year at the Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota. Employees of the State of Minnesota (except for employees of the Department of Health) and private persons or organizations under contract to the Department of Human Services for administrative services will not be appointed to the committee.

For further information, contact Stephanie Schwartz, Minnesota Department of Human Services at (651) 297-7198. TTY users can call the Minnesota Relay Service at 711 or 1-800-627-3529. For the Speech-to-Speech Relay, please call 1-877-627-3848. Letters of interest should be sent to: Stephanie Schwartz, Federal Relations, Health Care Administration, Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota 55155-3852. Letters of interest will be accepted until Monday, January 12, 2004.

## 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 Human Services

### Chemical Health Division (CHD)

#### Request for Proposals for Delivery of Opiate Treatment Services

The Chemical Health Division (CHD) of the Department of Human Services is requesting proposals for the delivery of opiate treatment services. The purpose of these funds is to expand the number of methadone providers in the State of Minnesota.

A total of \$225,000 is available through this RFP. The State intends to fund three projects at \$75,000 each, per year. Funded programs would begin on or around July 1, 2004 and continue for two years.



# State Grants & Loans

The intent is that these funds will be used solely for initial investment in program development needs that will result in the expansion of current methadone treatment capacity in the State. It is NOT the intent of this RFP to replace county, state, third party or private funding sources for clients. Following is a partial list of approved uses for these funds:

- Methadone storage safe
- Licensing fees
- Accreditation fees
- Intruder detection system
- Physical plant upgrade (NOT purchase)
- Initial cost of State License (if necessary)
- Initial cost of accreditation
- Cost of DEA Survey
- Staff positions

Applicants must submit one (1) original and (7) seven hard copies of their proposal. In addition, applicants are to submit their work statement and budgets via e-mail or on a diskette. Proposals must be received by the CHD no later than: **4:30 p.m., February 2, 2004**

To obtain an application, please contact Vicki Taylor at (651) 582-1832. All applications should be submitted to:

Department of Human Services  
Chemical Health Division  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3823  
Attention: Joan Kaluza

If you have questions regarding this Request for Proposal, please contact Rick Moldenhauer, State Methadone Authority, at the Chemical Health Division at (651) 582-1687.

Upon request, this information will be made available in an alternative format, such as Braille, large print, or audiotope.

Dated: December 1, 2003

## State Contracts

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

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

## Department of Administration

### State Architect's Office

### Notice of Availability of Request for Proposals for Moving Coordination Services for the Department of Human Services (DHS) Office Building and Other DHS Office Locations (State Project No. 02281SPX)

The State of Minnesota, through its Department of Administration's State Architect's Office ("State"), is soliciting proposals for Moving Coordination Services for the new DHS Office Building.

The full Request for Proposals is available at [www.sao.admin.state.mn.us](http://www.sao.admin.state.mn.us), click on "Solicitation Announcements", click on "RFP for DHS Moving Coordination Services for Project No. 02281SPX". Written responses must be received no later than, **2:00 p.m. Central Time on December 22, 2003**. RFP clarifications or changes and responses to questions, if any, will also be available on Web Site [www.sao.admin.state.mn.us](http://www.sao.admin.state.mn.us), click on "Solicitation Announcements", click on "RFP for DHS Moving Coordination Services for Project No. 02281SPX". Late responses will not be considered.

Questions may be **Emailed** to attention of Glenn Metz at [glenn.metz@state.mn.us](mailto:glenn.metz@state.mn.us). Questions must be received no later than 4:00 p.m. on December 16, 2003 and response to questions will be available by end of day December 19, 2003 on Web Site [www.sao.admin.state.mn.us](http://www.sao.admin.state.mn.us). The contact person identified is the only person authorized to respond to questions.



**Department of Administration****State Designer Selection Board****Request for Proposals for Designer Selection for Minnesota State Colleges and Universities - Information Technology & Telecommunications Renovation at Dakota County Technical College, Rosemount, Minnesota (Project 03-23)****To Minnesota Registered Design Professionals:**

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 1:00 p.m. Monday, December 15, 2003 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
State Architect's Office  
301 Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
(651) 297-1545

**PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

**1. PROJECT 03-23**

**a. PROJECT DESCRIPTION:** Minnesota State Colleges and Universities intends to retain a consultant design team to provide architectural and engineering consulting services for the design and construction for the remodeling of existing spaces at Dakota County Technical College in Rosemount, Minnesota.

**PROJECT SCOPE:** The scope of this project, based upon the approved Predesign, includes remodeling of approximately 45,426 gross square feet (gsf) of existing spaces at the main campus facility. The project includes Telecommunications program upgrades, expansion of the library to include an information technology center, integration of academic support spaces, and remodeling to create a science laboratory and preparatory space.

*In all areas to be remodeled, the project scope shall also address casework, student stations and equipment for new labs and classrooms; furniture, fixtures and equipment, both existing and new; and upgrade and/or correct deferred maintenance/asset preservation improvements, including, but not limited to: code-required life safety improvements, building code compliance issues, fire-rated doors, ADA corrective work, indoor air quality and upgrading the electrical distribution system.*

**b. REQUIRED CONSULTANT SERVICES:** The selected design team shall:

1. Provide a comprehensive scope of services including Schematic Design (SD), Design Development (DD), Construction Documents (CD), Bidding and Construction Administration (CA).
2. Prepare all design documents using computer aided design and drafting technology in an electronic data exchange file format acceptable to Minnesota State Colleges and Universities.
3. Demonstrate experience in the design and construction of institutional collegiate library, college classrooms, science laboratory spaces, advanced state-of-the-art telecommunications and information technology systems, applications and classrooms and similar spaces that are part of the program requirements.
4. Integrate the remodeled spaces of the project with the existing facilities and provide flexibility to incorporate with any future phases of renovation.
5. Complete all design, drawings and specifications in accordance with, as minimums:
  - a. Current Minnesota State Colleges and Universities Design Standards
  - b. All applicable building, life safety and energy codes
  - c. ADA regulations, and
  - d. Academic program requirements.
6. Design building spaces for:
  - a. Energy efficiency
  - b. Efficient space utilization

# State Contracts

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- c. Flexibility
- d. High indoor air quality and ventilation including point-of-source exhaust systems
- e. State-of-the-art mechanical systems and direct digital controls
- f. Complete fire suppression systems, and
- g. A contemporary, advanced telecommunications environment.

7. Provide full architectural/engineering services for the project including architectural, structural, mechanical, fire protection, electrical, telecommunications and audio/visual systems, interior design, furniture, fixtures and equipment (FF&E), scheduling, independent third-party cost estimating, and construction administration services, all in accordance with the Minnesota State Colleges and Universities standard A/E contract. The information contained in the Predesign Report will be used as a starting point for the selected design team. Minnesota State Colleges and Universities may retain other specialty consultants to assist in the project.

**NOTE:** A roof design consultant designated by Minnesota State Colleges and Universities will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:** The Owner will contract directly for, or arrange to provide:

1. Asbestos and hazardous materials surveys, design and abatement at the existing buildings, as required, and
2. Geotechnical investigations and recommendations, as required.

**d. SPECIAL CONSIDERATIONS:** Design Team Requirements: The design team shall have applicable prior experience in the design and construction of similar projects, in a college setting. The firm shall provide examples of current and recent higher education smart classrooms, library, academic, science laboratory and teaching facilities design experience. The design team shall have proven experience in working with and directing the efforts of a college site-based building advisory committee. The design team shall demonstrate their use of life cycle costing during the design process. Life cycle items to be addressed include, but are not limited to: energy efficiency, indoor air quality and ventilation, sustainability, and the maintainability of design, materials, and equipment.

A history of constructible design, successful design schedule development, meeting schedule deadlines, accurate cost estimating and designing within a project budget are critical criteria for selection of the design team. Design documents quality control and complete, accurate and fully coordinated contract documents are an important element of the selected design team's services. A change order history of recent past projects and how the team proposes to address this issue should be provided as part of their submittal.

The design team shall provide examples of recently completed projects, including innovative solutions, for review by the selection committee. The design team shall provide a list of clients and involved contractors for similar projects done within the last five years including the names, addresses and phone numbers of contact persons.

The design team shall also:

1. Demonstrate prior experience with recent major remodeling projects involving collegiate telecommunications training spaces and systems, libraries and information technology centers, and science laboratories.
2. Include the *field verification of existing conditions*, structures and building systems in their scope of basic services.
3. Evaluate existing building structural, mechanical and electrical systems to determine capabilities and capacities to support the proposed remodeling work.
4. Review and confirm the functional space program requirements of all affected areas.
5. Provide an inventory of all existing FF&E, identify new FF&E to be procured, particularly the technology and telecommunications, library and science laboratory furnishings and equipment, and develop the layout, utilities and support systems for all FF&E.

**e. PROJECT BUDGET/FEES:** The estimated total project cost is \$7,500,000, escalated to the mid-point of construction. This cost includes: all professional fees and reimbursable expenses, site investigations and surveys, hazardous materials removals design and abatement, building construction, project management, construction inspection and testing, furniture, fixtures and equipment, contingencies, and inflation factors. The maximum design team fees are anticipated to be 9.0% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.

The Project has been funded to complete the design work through the Construction Documents Phase. The funds to complete the Bidding and Construction Phases are anticipated from the 2004 Legislative session.

**f. PROJECT SCHEDULE:** The following preliminary schedule is suggested:

<i>Schematic Design Phase:</i>	<b>Begin January 2004, complete April 2004</b>
<i>Design Development Phase:</i>	<b>Begin May 2004, complete August 2004.</b>
<i>Construction Documents Phase:</i>	<b>Begin September 2004, complete December 2004.</b>
<i>Receive Bids:</i>	<b>February 2005.</b>
<i>Complete all Construction:</i>	<b>July 2006.</b>

**g. PROJECT PRE-DESIGN INFORMATION:** A Predesign Report was prepared BWBR Architects, Inc. in February 2003. A copy of this document is available for review at the Department of Administration in the State Architect's Office. For review, contact Terry Lewko at (651) 297-1545.

Copies of the Predesign Report document will be made available only to firms that are short-listed.

**h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** An informational meeting is scheduled for December 9, 2003, 10:00 a.m. at the College, located at 1300 145th Street East, Rosemount, MN. All firms interested in this meeting should contact Paul DeMuth, Director of Operations at (651) 423-8370 or **email** at [Paul.DeMuth@dtc.mnscu.edu](mailto:Paul.DeMuth@dtc.mnscu.edu), to inquire about the meeting.

**i. STATE DESIGNER SELECTION BOARD SCHEDULE:**

<i>Project Information Meetings and/or Site Visits:</i>	<b>Tuesday, December 9, 2003, 10:00 a.m.</b>
<i>Project Proposals Due:</i>	<b>Monday, December 15, 2003, by 1:00 p.m.</b>
<i>Project Shortlist:</i>	<b>Tuesday, December 30, 2003</b>
<i>Project Interviews and Award:</i>	<b>Tuesday, January 6, 2004</b>

**j. PROJECT CONTACT (S)**

Questions concerning the project should be referred to the Project Manager:

Paul DeMuth  
Director of Operations  
Dakota County Technical College  
(651) 423-8370, or **email** at [Paul.DeMuth@dtc.mnscu.edu](mailto:Paul.DeMuth@dtc.mnscu.edu)

**k. SAMPLE CONTRACT:** The successful responder will be required to execute the Minnesota State Colleges and Universities' Basic Services Agreement which contains the Minnesota State Colleges and Universities' standard contract terms and conditions, including insurance requirements and compliance with Facilities Design & Construction Standards & Procedures.

**2. PROPOSAL REQUIREMENTS**

- a. 14 copies
- b. 8 ½ X 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

**3. PROPOSAL CONTENTS**

**a. COVER**

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

**b. COVER LETTER**

- Single face letter with original signature (on at least one copy) of principal of prime firm, including:
- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

**c. INFORMATION ON FIRM (S)**

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

**d. PROJECT TEAM**

- Brief statement of team's past or present working relationships

For each team member provide:

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- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

## e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

## f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

## g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

## h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for *this* project.

## i. OTHER REQUIREMENTS

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on Web Site <http://www.sao.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

**4. SELECTION CRITERIA**

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

**5. CONTRACT REQUIREMENTS**

**a. AFFIDAVIT OF NONCOLLUSION**

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Web Site** <http://www.sao.admin.state.mn.us>, click on forms.

**b. CONFLICTS OF INTEREST**

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

**c. DISPOSITION OF RESPONSES**

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

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

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

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

**d. CONTINGENCY FEES PROHIBITED**

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

**e. ORGANIZATIONAL CONFLICTS OF INTEREST**

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default.

# State Contracts

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The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

## **f. STATE EMPLOYEES**

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

## **g. HUMAN RIGHTS REQUIREMENTS**

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Web Site** <http://www.sao.admin.state.mn.us>.

**h.** Any changes in team members for the project requires approval by the State.

**i.** All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Department of Administration

### State Designer Selection Board

### Request for Proposals for Designer Selection for Minnesota State Colleges and Universities - Remodeling & Entry Additions at Minnesota State Colleges - Southeast Technical College - Winona and Red Wing, Minnesota (Project 03-24)

#### To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 1:00 p.m. Monday, December 15, 2003 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
State Architect's Office  
301 Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
(651) 297-1545

#### **PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

#### **1. PROJECT 03-24**

**a. PROJECT DESCRIPTION:** Minnesota State Colleges and Universities intends to retain a consultant design team to provide architectural and engineering consulting services for the design and construction for the remodeling of and addition to existing spaces at the Minnesota State College - Southeast Technical in Winona and Red Wing, Minnesota.

**PROJECT SCOPE:** The scope of this project, based upon the approved Predesign, includes remodeling of approximately 27,462 gross square feet (gsf) and renewal of approximately 3,755 gsf of existing spaces and expansion to the existing building with additions of approximately 2,850 gsf, all at the Winona Campus main facility, and design for remodeling of the student services area and new entry at the Red Wing Campus.

The Winona Campus remodeling will include a consolidated Student Services area, an expanded bookstore and business office, a Learning Resource Center, Nursing and Massage Therapy program classrooms and lab areas, general classrooms, faculty offices, and administrative offices. The Winona Campus renewal will include existing corridors and circulation spaces adjacent to remodeled areas.

The Winona Campus new construction will include approximately 2,450 gsf for a new primary entry area and approximately 400 gsf for a secondary entry canopy.

The Red Wing Campus remodeling will include a consolidated Student Services area and adjacent affected spaces. A new entry will also be included.

*In all areas to be remodeled, the project scope shall also address casework, student stations and equipment for new labs and classrooms; furniture, fixtures and equipment, both existing and new; and upgrade and/or correct deferred maintenance/asset preservation improvements, including, but not limited to: code-required life safety improvements, building code compliance issues, ADA corrective work, fire protection systems, indoor air quality and upgrading the electrical and telecommunications systems.*

**b. REQUIRED CONSULTANT SERVICES:** The selected design team shall:

1. Provide a comprehensive scope of services including Schematic Design (SD), Design Development (DD), Construction Documents (CD), Bidding and Construction Administration (CA).
2. Prepare all design documents using computer aided design and drafting technology in an electronic data exchange file format acceptable to Minnesota State Colleges and Universities.
3. Demonstrate experience in the design and construction of institutional collegiate learning resource centers, health science classroom and laboratory spaces, student services areas, college classrooms, and similar spaces that are part of the program requirements.
4. Integrate the remodeled spaces of the project with the existing facilities and provide flexibility to incorporate with any future phases of renovation.
5. Complete all design, drawings and specifications in accordance with, as minimums:
  - a. Current Minnesota State Colleges and Universities Design Standards
  - b. All applicable building, life safety and energy codes
  - c. ADA regulations, and
  - d. Academic program requirements.
6. Design building spaces for:
  - a. Energy efficiency
  - b. Efficient space utilization
  - c. Flexibility
  - d. High indoor air quality and ventilation including point-of-source exhaust systems
  - e. State-of-the-art mechanical systems and direct digital controls
  - f. Complete fire suppression systems, and
  - g. A contemporary, advanced telecommunications environment.
7. Provide full architectural/engineering services for the project including architectural, structural, mechanical, fire protection, electrical, telecommunications and audio/visual systems, interior design, furniture, fixtures and equipment (FF&E), scheduling, independent third-party cost estimating, and construction administration services, all in accordance with the Minnesota State Colleges and Universities standard A/E contract. The information contained in the Predesign Report will be used as a starting point for the selected design team. Minnesota State Colleges and Universities may retain other specialty consultants to assist in the project.

**NOTE:** A roof design consultant designated by Minnesota State Colleges and Universities will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:** The Owner will contract directly for, or arrange to provide:

1. Asbestos and hazardous materials surveys, design and abatement at the existing buildings, as required, and
2. Geotechnical investigations and recommendations, as required.

**d. SPECIAL CONSIDERATIONS:** Design Team Requirements: The design team shall have applicable prior experience in the design and construction of similar projects, in a college setting. The firm shall provide examples of current and recent higher education learning resource centers, academic, laboratory, teaching facilities, and smart classrooms design experience. The design team shall have proven experience in working with and directing the efforts of a college site-based building advisory committee. The design team shall demonstrate their use of life cycle costing during the design process. Life cycle items to be addressed include, but are not limited to: energy efficiency, indoor air quality and ventilation, sustainability, and the maintainability of design, materials, and equipment.

A history of constructible design, successful design schedule development, meeting schedule deadlines, accurate cost estimating and designing within a project budget are critical criteria for selection of the design team. Design documents quality control and complete, accurate and fully coordinated contract documents are an important element of the selected design team's services. A change order history of recent past projects and how the team proposes to address this issue should be provided as part of their submittal.



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The design team shall provide examples of recently completed projects, including innovative solutions, for review by the selection committee. The design team shall provide a list of clients and involved contractors for similar projects done within the last five years including the names, addresses and phone numbers of contact persons.

The design team shall also:

1. Demonstrate prior experience with recent major remodeling projects involving collegiate learning resource centers, health science classrooms and laboratories.
2. Include the *field verification of existing conditions*, structures and building systems in their scope of basic services.
3. Evaluate existing building structural, mechanical and electrical systems to determine capabilities and capacities to support the proposed remodeling work.
4. Review and confirm the functional space program requirements of all affected areas.
5. Provide an inventory of all existing FF&E, identify new FF&E to be procured, particularly the learning resource center and science laboratory furnishings and equipment, and develop the layout, utilities and support systems for all FF&E.

**e. PROJECT BUDGET/FEES:** The estimated total project cost is \$4,080,000, escalated to the mid-point of construction. This cost includes: all professional fees and reimbursable expenses, site investigations and surveys, hazardous materials removals design and abatement, building construction, project management, construction inspection and testing, furniture, fixtures and equipment, contingencies, and inflation factors. The maximum design team fees are anticipated to be 9.0% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.

The Project has been funded to complete the design work through the Construction Documents Phase. The funds to complete the Bidding and Construction Phases are anticipated from the 2004 Legislative session.

**f. PROJECT SCHEDULE:** The following preliminary schedule is suggested:

<i>Schematic Design Phase:</i>	<b>Begin January 2004, complete April 2004</b>
<i>Design Development Phase:</i>	<b>Begin May 2004, complete July 2004.</b>
<i>Construction Documents Phase:</i>	<b>Begin August 2004, complete November 2004.</b>
<i>Receive Bids:</i>	<b>January 2005.</b>
<i>Complete all Construction:</i>	<b>May 2006.</b>

**g. PROJECT PRE-DESIGN INFORMATION:** A Predesign Report was prepared Bentz/Thompson/Rietow, Inc. in August 2003. A copy of this document is available for review at the Department of Administration in the State Architect's Office. For review, contact Terry Lewko at (651) 297-1545.

Copies of the Predesign Report document will be made available only to firms that are short-listed.

**h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** An informational meeting is scheduled for December 8, 2003, 1:00 p.m. at the College, located at 1250 Homer Road, Winona, MN. All firms interested in this meeting should contact Michael Kroening, Chief Financial Officer at (507) 453-2752 or email at [mkroening@southeastmn.edu](mailto:mkroening@southeastmn.edu), to inquire about the meeting.

**i. STATE DESIGNER SELECTION BOARD SCHEDULE:**

<i>Project Information Meetings and/or Site Visits:</i>	<b>Monday, December 8, 2003, 1:00 p.m.</b>
<i>Project Proposals Due:</i>	<b>Monday, December 15, 2003, by 1:00 p.m.</b>
<i>Project Shortlist:</i>	<b>Tuesday, December 30, 2003</b>
<i>Project Interviews and Award:</i>	<b>Tuesday, January 6, 2004</b>

**j. PROJECT CONTACT (S)**

Questions concerning the project should be referred to the Project Manager:

Michael Kroening  
Chief Financial Officer  
Minnesota State College - Southeast Technical  
(507) 453-2752, or email at [mkroening@southeastmn.edu](mailto:mkroening@southeastmn.edu)

**k. SAMPLE CONTRACT:** The successful responder will be required to execute the Minnesota State Colleges and Universities' Basic Services Agreement which contains the Minnesota State Colleges and Universities' standard contract terms and conditions, including insurance requirements and compliance with Facilities Design & Construction Standards & Procedures.

## 2. PROPOSAL REQUIREMENTS

- a. 14 copies
- b. 8 ½ X 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)

d. All pages numbered

### 3. PROPOSAL CONTENTS

#### a. COVER

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

#### b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

#### c. INFORMATION ON FIRM (S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

#### d. PROJECT TEAM

- Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

#### e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

#### f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

#### g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

# State Contracts

## h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

## i. OTHER REQUIREMENTS

- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Web Site** <http://www.sao.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
- A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

## 4. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

## 5. CONTRACT REQUIREMENTS

### a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Web Site** <http://www.sao.admin.state.mn.us>, click on forms.

### b. CONFLICTS OF INTEREST

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

### c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

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

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

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

#### **d. CONTINGENCY FEES PROHIBITED**

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

#### **e. ORGANIZATIONAL CONFLICTS OF INTEREST**

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

#### **f. STATE EMPLOYEES**

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

#### **g. HUMAN RIGHTS REQUIREMENTS**

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Web Site** <http://www.sao.admin.state.mn.us>.

**h.** Any changes in team members for the project requires approval by the State.

**i.** All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Administration Department

### *State Register*

### Give Yourself the Advantage

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#2 - The INDEX, a growing list of the current issue's articles to quickly locate the information you need. Each also has LINKS to the issue in which the article appeared, for fast reference.

## State Contracts

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Subscriptions are \$180 for an entire year (less than \$3.50 per issue), that's \$80 LESS than the cover price. Service, speed, accuracy, and on-time delivery with the *State Register* ON-LINE. FAX your credit card information: (651) 297-8260; or send in your check or credit card information to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Or, order today by calling (651) 297-8774 and charge your credit card, or **E-mail:** [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us) for more information.

## Minnesota State Colleges and Universities

### Request for Proposal: To Develop A Strategic Advertising Campaign

The Minnesota State Colleges and Universities System is requesting proposals from qualified firms to develop an advertising campaign aimed at building public awareness of the educational opportunities offered by the system and the aggregate impact of their work on the state's economy and quality of life.

Specifications are available by contacting Barb Schlaefler, Minnesota State Colleges and Universities, 500 Wells Fargo Place, 30 East 7th Street, St. Paul, Minnesota 55101, (651) 296-9443 phone, or **email** [barb.schlaefler@so.mnscu.edu](mailto:barb.schlaefler@so.mnscu.edu). Sealed bids must be received by Friday, December 19, 2003, 2:00 pm, CST.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest. Minnesota State Colleges and Universities is an Equal Opportunity employer and educator.

## Department of Human Services

### Notice of Request for Proposals: Study of Minnesota Health Care Programs Covered Services

The Minnesota Department of Human Services (DHS) is seeking proposals from contractors who would assist DHS in determining if and how Minnesota Health Care Programs costs can be saved by modifying covered services. This study is mandated by Omnibus State Government Finance Bill, Chap. 1, *First Special Session 2003*, Art. 13C, Sec. 2, subd. 7.

DHS intends to use a structured approach employing an advisory panel of health care experts, meetings to obtain stakeholder input, and internal DHS work groups. The contractor will produce: 1) advice and support for DHS project management; 2) research of Medicaid coverage practices; 3) facilitation of advisory panel meetings; 4) facilitation of stakeholder groups; 5) preparation of recommendations; 6) preparation of the mandated report (due 1/15/05), incorporating the ideas developed through the structured approach, along with cost savings estimates. All work must be completed by January 15, 2005.

Interested parties may download the Request for Proposals at the DHS website, [www.dhs.state.mn.us](http://www.dhs.state.mn.us) or may obtain a paper copy by contacting Alice Pedersen, (651) 297-7951.

The due date for proposal submission is December 22, 2003, 3:00 p.m.

Dated: December 1, 2003

## Minnesota Departments of Human Services and Administration

### Retail Food Service Market Research for Cedar Street State Building Overview

The Department of Human Services, in coordination with the Department of Administration, is seeking a firm with extensive, documented experience in retail food service market research to conduct a market analysis and determine the feasibility of including a retail food service venue in the building to be constructed.

The goal is to determine the market viability of a retail food venue for the building that will provide appropriate food service and menu options for employees and visitors to the building as well as residents, businesses and other organizations in the neighborhood. If this approach is determined to be viable, a second phase of the project may be to create a Request for Proposal for food service and a criteria to be used in evaluating the proposals received.

Persons interested in receiving a copy of the complete Request for Proposal must contact:

Linda M. Nelson, Management Services Director  
Department of Human Services  
444 Lafayette Road  
Saint Paul MN 55155-3807  
(651) 296-6633  
[linda.m.nelson@state.mn.us](mailto:linda.m.nelson@state.mn.us)

All proposals must be received no later than 4:00 p.m., Central Time, Friday December 19, 2003, by Ms. Nelson at 444 Lafayette Road, Saint Paul MN 55155-3807. Hand-delivered proposals will be time-stamped by the Information Desk in the lobby of the building. **Late proposals will not be considered.**

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All costs incurred in responding to this RFP will be borne by the responder. **Fax and e-mail proposals will not be considered.**

### Department of Natural Resources

#### Notice of Availability of Contract for a Feasibility Study to Limit the Invasion of Asian Carp into the Upper Mississippi River Basin

The Minnesota Department of Natural Resources, Division of Fish and Wildlife, is requesting proposals for a feasibility study on limiting the invasion of Asian carp to the upper Mississippi River basin. The contractor will evaluate all known technologies that might be effective in limiting or stopping the northward movement of Asian carp as well as a risk assessment on the potential effects of these non-indigenous species. This will include the effectiveness of the technology in limiting invading fish species, the environmental impact of the technology on native species, the pluses and minuses of each technology, and the potential of the engineering task to be successfully completed. Work is proposed to start after January 1, 2004, and must be completed no later than March 1, 2004.

The complete Request for Proposal can be obtained from:

Paul J. Wingate  
Fisheries Research Manager  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155-4012  
**Email:** [jack.wingate@dnr.state.mn.us](mailto:jack.wingate@dnr.state.mn.us)  
**Phone** (651) 296-0796  
**FAX** (651) 297-4916

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than December 16, 2003. **Late proposals will not be considered.** Fax or e-mailed 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 Transportation

#### Program Support Group

#### Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's web site at <http://www.dot.state.mn.us/consult>



# State Contracts

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Send completed application material to:

Robin Valento  
Pre-Qualification Administrator  
Minnesota Department of Transportation  
Consultant Services  
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680  
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

## Department of Transportation

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

## 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 editor for further details.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Engineering Services for Northwest Interceptor Improvements

#### Contract 03P116

The Metropolitan Council is requesting proposals from professional engineering firms to assist the Council with updating the Regional Wastewater System Plan for the Northwest Metro Area; and to provide coordinated, integrated facility plans for three proposed capital improvement projects.

System Plan analysis will include determining the needed improvements to the Council's northwest area interceptors and downstream interceptors in order to serve the long-term regional growth. Also, additional analysis is required to assist the Council with determining the long-term extent of the Metropolitan Wastewater Treatment Plant Service Area and recommending additional wastewater treatment plants for the long-term future.

Facility Plans will include, among other things, proposed capacity, size, alignment, location and cost of improvements to the Champlin-Anoka-Brooklyn Park (CAB) and 4-BP-541 Interceptor Systems; replacement of the Brooklyn Park Lift Station (L-32); and replacement of the Coon Rapids Lift Station (L-43).

The anticipated schedule for this project is as follows:

<b>Issue Request for Proposals:</b>	<b>November 24, 2003</b>
<b>Proposals Due:</b>	<b>December 23, 2003</b>
<b>Award Contract:</b>	<b>February 2004</b>

All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a written request for the RFP to:

Sunny Jo Emerson, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101



**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

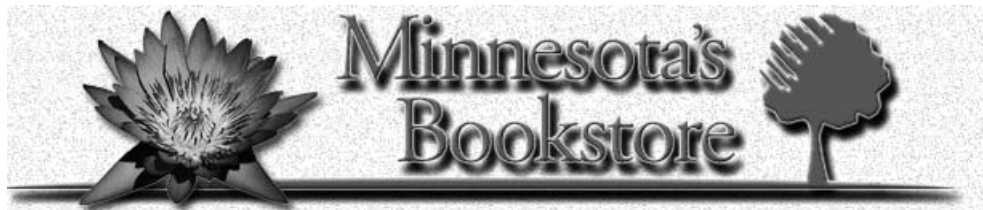
**NOTE:** The RFP is **NOT** available in electronic form.

## 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](http://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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.



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## DIRECTORIES

*For some of our customers, directories from Minnesota's Bookstore are an inexpensive alternative to purchasing a customized printout of a certain database. Most directories are published once a year and contain names and addresses. Directories are not produced for every list.*

STOCK #	DIRECTORY TITLE	PRICE
<b>DIRECTORIES PRODUCED FROM MAILING LIST SERVICE DATA</b>		
99-73	Accounting Firms .....	\$5.00
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99-39	Building Contractors (Metro Area) .....	\$27.00
99-40	Building Contractors (Greater Minnesota) .....	\$32.00
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99-60	Charities .....	\$34.95
99-79	Child Day Care Centers .....	\$9.95
99-34	Collection Agencies .....	\$10.00
99-50	Engineers .....	\$49.95
99-36	Insurance Adjusters .....	\$9.00
99-06	Interior Designers .....	\$6.00
99-53	Land Surveyors .....	\$3.50
99-52	Landscape Architects .....	\$2.95
99-35	Pharmacies .....	\$7.50
99-37	Real Estate Appraisers .....	\$15.00

