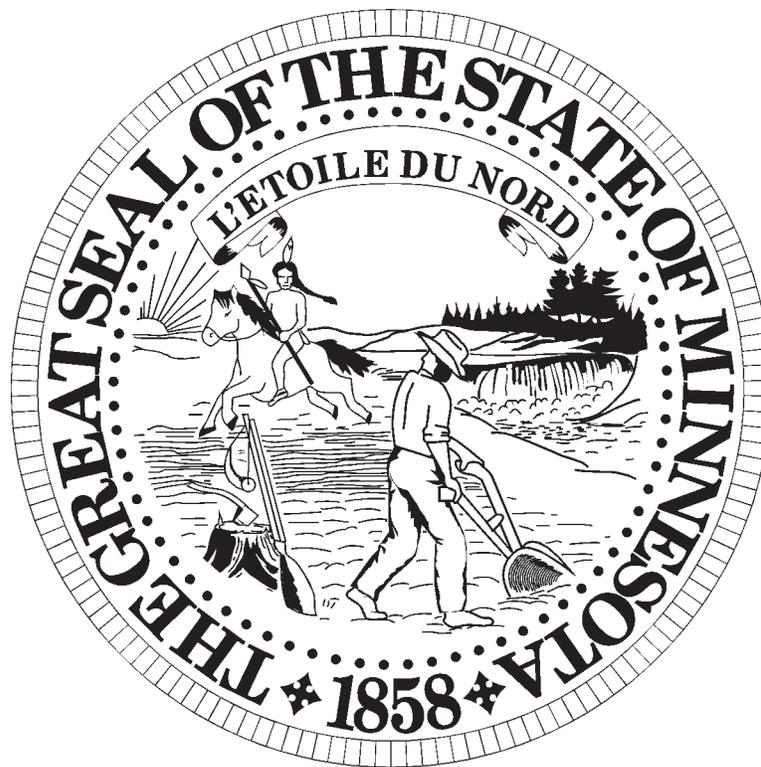


State of Minnesota

State Register



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State Register

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

The *State Register* is the official publication of the State of Minnesota, 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- proposed, adopted, exempt, expedited emergency and withdrawn rules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
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#34	TUESDAY 22 FEBRUARY	Noon Tuesday 15 February	Noon Wednesday 9 February
#35	Monday 28 February	Noon Tuesday 22 February	Noon Wednesday 16 February
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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. 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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Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

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

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

Board of Assessors

Proposed Permanent Rules Relating to Licensure, Education, and Conduct of Assessors

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment of Rules Governing the Minnesota State Board of Assessors, *Minnesota Rules*, Chapter 1950

Introduction. The Minnesota State Board of Assessors intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until March 16, 2005.

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

Harriet Sims, Attorney
Minnesota Department of Revenue
600 North Robert Street
Mail Station 2220
St. Paul, Minnesota 55146-2220
Telephone: (651) 556-4085
Fax: (651) 296-8229
E-mail: harriet.sims@state.mn.us
Minnesota Relay (TTY) users may call #711

Subject of Rules and Statutory Authority. The proposed rule amendments are about Licensure, Education and Conduct of Minnesota Assessors, *Minnesota Rules*, Chapter 1950. The statutory authority for the Board to adopt rules is *Minnesota Statutes*, section 270.47. These amendments deal with the following topics:

- (1) Accredited Minnesota Assessor (AMA) Licensing Requirements;
- (2) Clarifying the Board's discretion to grant board education units (BEUs);
- (3) Allowing assessors who do not complete continuing education requirements or other requirements for their level to be licensed at a lower level if they have completed the requirements for the lower level;
- (4) Making several editorial changes; and
- (5) Repealing obsolete rules.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, March 16, 2005, to submit written comment in support of or in opposition to the

Proposed Rules

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 March 16, 2005. 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 when 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 valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

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 *Minnesota Rules*, 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. This statement will be posted on the agency's website, www.taxes.state.mn.us, on or after February 14, 2005. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone** (651) 296-5148 or 1-800-657-3889.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The 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.

February 2, 2005

Deborah E. Volkert, Secretary Treasurer
Minnesota State Board of Assessors

1950.1030 CERTIFIED MINNESOTA ASSESSOR (CMA).

A person assisting the assessor of a taxing jurisdiction in making exemption, classification, or valuation decisions must obtain licensure as a certified Minnesota assessor. A local assessor employed by a township or city not requiring a higher level of licensure as shown in the "List of Assessor License Levels for Minnesota Taxing Jurisdictions" must obtain licensure as a certified Minnesota assessor. Requirements to initially obtain licensure as a certified Minnesota assessor are given in items A to F.

[For text of items A and B, see M.R.]

C. A passing grade in one elective course. A listing of approved elective courses is shown in the ~~educational bulletin~~ Minnesota State Board of Assessors' Education and Licensing Manual available from the board.

D. Or, in lieu of items A, B, and C, successful completion of course A and four self-directed programmed instruction courses, or correspondence courses, offered by the IAAO. A listing of approved self-directed and correspondence courses is shown in the ~~educational bulletin~~ Minnesota State Board of Assessors' Education and Licensing Manual available from the board.

[For text of items E and F, see M.R.]

1950.1040 CERTIFIED MINNESOTA ASSESSOR SPECIALIST (CMAS).

A local assessor employed by a township or city shown on the "List of License Levels for Minnesota Taxing Jurisdictions" under the heading "Certified Specialist" must obtain licensure as a certified Minnesota assessor specialist. Requirements to initially obtain licen-

sure as a certified Minnesota assessor specialist are given in items A to E.

A. A certified Minnesota assessor license or meeting of all requirements for a certified Minnesota assessor license.

B. A passing grade on two elective courses. The list of approved elective courses is available in the Minnesota State Board of Assessors' Education and Licensing Manual, available from the board at no cost. These courses must not have been used to meet the educational requirements of the certified Minnesota assessor license. Four days of seminars may also be substituted for one elective course if the seminars receive prior approval of the board. The seminars may only be approved if the content is appropriate to the enhancement of the assessor's professional skills.

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

1950.1050 ACCREDITED MINNESOTA ASSESSOR (AMA).

A local assessor employed by a township or city shown on the "List of Assessor License Levels for Minnesota Taxing Jurisdictions" under the heading "Accredited" must obtain licensure as an accredited Minnesota assessor. Requirements to initially obtain licensure as an accredited Minnesota assessor are given in items A to E.

A. A passing grade on the following courses:

[For text of subitems (1) to (3), see M.R.]

(4) IAAO 4400, assessment administration or approved alternative;

(5) one elective from the list of approved elective courses shown ~~in the educational bulletin available from the board in the Minnesota State Board of Assessors' Education and Licensing Manual~~ or satisfactory attendance at five days of approved seminars. A list of approved seminars is available from the board at no cost. Alternate seminars may be substituted if they receive prior approval of the board. The seminars will only be approved if the content is appropriate to the enhancement of the assessor's professional skills;

(6) a passing grade on course J, basic income approach to valuation, or IAAO 2102, income approach to valuation, or an IAAO 300 series course relating to the mass appraisal of income producing properties or approved alternative; and

(7) completion of the IAAO seminar, standards of professional practice and professional ethics, or approved alternative.

B. A passing grade on one demonstration narrative appraisal. In lieu of this narrative appraisal, the applicant may substitute:

(1) obtaining the designation of SRA from the Appraisal Institute or its successor organization;

(2) obtaining the designation of residential evaluation specialist (RES) from the International Association of Assessing Officers; ~~or~~

(3) a four-year degree from an accredited college or university with a major in real estate; ~~or~~

(4) submitting a residential form appraisal that has received a passing grade and successful completion of the residential IAAO case studies examination. The board may substitute another comprehensive written examination as an alternative to the IAAO case studies examination.

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

1950.1080 CONTINUING EDUCATION.

[For text of subpart 1, see M.R.]

Subp. 2. **Basis of continuing education units.** Continuing education units are given in ~~five~~ four general categories.

A. Approved assessor educational courses and seminars are eligible for continuing education units. The units given for each course are normally awarded on the basis of approximately 0.1 continuing education unit per instructional hour. ~~A complete listing of these courses and the units given for each course is shown in the education bulletin available from the board.~~

~~B. Approved assessor educational seminars are eligible for continuing education units. In addition, the annual property valuation short course sponsored by the University of Minnesota is eligible for continuing education units. One-tenth certified education unit or board education unit is given for each instructional hour. Normally, no seminar is approved for credit unless it is at least three instructional hours in length. A complete listing of these courses and the units given for each course is shown in the education bulletin available from the board Minnesota State Board of Assessors' Education and Licensing Manual.~~

~~C. B.~~ Board education units are given for attendance at approved assessment educational or informational conferences. Examples of conferences are those sponsored by the Minnesota Association of Assessing Officers, the Midwestern States Association of Tax Administrators, the North Central Association of Assessing Officers, the National Association of Tax Administrators, and the International Association of Assessing Officers. Normally, 0.5 board education units are given for attendance at these conferences.

~~D. C.~~ In addition to the courses, seminars, and conferences in items A ~~to C~~ and B, the board shall grant board education units for other educational or informational pursuits that, as determined by the board, enhance the professionalism of the assessor. For purposes of this item, the following would qualify: courses or seminars in management, office practices, employee development, affirmative action, prevention of sexual harassment, computer use, programming, finance, or economics as well as courses or seminars relating directly to the assessment or appraisal field. The sponsor of such courses or seminars may apply directly to the board for board education units approval, or the recipient of the training may apply either before or after the training is received. The board shall examine each course or seminar on its own merits and decide how many board education units are to be awarded. The number of board education units given is

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based on such factors as length, content, and applicability to the assessment field.

E. D. At the discretion of the board, board education units may be given for such activities as writing, developing or revising a course or seminar, teaching or assisting in the presentation of a course or seminar, and attendance or involvement in specialized meetings or committees. Board education units may be granted in these instances after the board has reviewed such factors as time, content, professional level, and appropriateness of the activity.

Subp. 3. Repetition of courses, seminars, and conferences.

Educational credit is not given for repeating any course or seminar within a four-year period. ~~An exception to this rule is the property valuation short course. Assessors licensed as certified Minnesota assessors or certified Minnesota assessor specialists may attend this course each year and receive continued education units. Assessors licensed as accredited Minnesota assessors or senior accredited Minnesota assessors may only receive credit for attending two property valuation short courses within a four-year educational period.~~ Approved conferences may also be attended for credit more than twice within an educational period. Instructors of board-approved courses or seminars receive credit for each course or seminar taught, without limitation based on repetitions within a particular time period.

Subp. 3a. **Exams and challenging exams.** A person who fails two consecutively taken exams for a board-sponsored course must retake the course before taking the exam again. A person may challenge the exam for a board-sponsored class, in order to ~~received~~ receive credit for mastering the subject without attending the class. The exams will not be offered within 30 days of the beginning, nor within 30 days of the conclusion of any scheduled offering for the course. If the person fails the challenged exam, they must take the course before retaking the exam.

Subp. 4. **Licensing at a lower level.** An accredited Minnesota assessor or senior accredited Minnesota assessor who does not obtain the necessary five continuing education units or board education units or does not successfully complete the weeklong Minnesota Laws course sponsored by the Department of Revenue and required in Minnesota Statutes, section 273.0755, within an educational period may be licensed at the level of certified Minnesota assessor specialist if the assessor has obtained at least four continuing education units or board education units. If the assessor has not obtained at least four continuing education units or board education units, no license will be issued. The issuance of a certified Minnesota assessor specialist license to an assessor does not entitle the assessor to work in a taxing jurisdiction that requires an accredited Minnesota assessor or senior accredited Minnesota assessor license.

[For text of subps 4a and 5, see M.R.]

Subp. 6. **Standards of practice requirement for senior accredited Minnesota assessors.** The continuing education requirements under this part for a senior accredited Minnesota assessor include the requirement that a senior accredited Minnesota assessor attend, within each four-year period, at least one four-hour uniform standards of professional appraisal practice (USPAP) seminar or one standards of professional conduct and ethics seminar. Assessors who have not met this requirement and have five continuing education units or board education units may be licensed at the accredited Minnesota assessor level.

1950.1090 CONDUCT AND DISCIPLINE.

[For text of subpart 1, see M.R.]

Subp. 2. **Refusal to grant license.** The board may refuse to grant or issue an assessor's license for the following causes:

A. failure to obtain the necessary education or experience levels required in ~~part 1950.1010~~ parts 1950.1030 to 1950.1060 for first issuance of a specific level of license;

B. failure to obtain the necessary continuing education required in ~~part 1950.1040~~ 1950.1080 for maintenance of a specific level of license;

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

[For text of subps 3 to 7, see M.R.]

REPEALER. Minnesota Rules, parts 1950.1000, subpart 13; and 1950.1060, subpart 6, are repealed.

Adopted Rules

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

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

Board of Electricity

Adopted Permanent Rules Relating to Electrician Licenses

The rules proposed and published at *State Register*, Volume 28, Number 49, pages 1547-1558, June 7, 2004 (28 SR 1547), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Hazardous Waste

The rules proposed and published at *State Register*, Volume 29, Number 12, pages 325-330, September 30, 2004 (29 SR 325), are adopted as proposed.

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* Sections 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.

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

Department of Natural Resources

Adopted Exempt Permanent Rules Relating to Aquatic Plant Management Permit Fees

In the Matter of the Adoption of the Rules of the State of Minnesota, Department of Natural Resources, Relating to Aquatic Plant Management Permit Fees; *Minnesota Rules*, part 6280.0450, subpart 4

ORDER ADOPTING RULES

WHEREAS,

Minnesota Rules, chapter 6280, was adopted under the authority of *Minnesota Statutes*, section 103G.615, which directs the commissioner of natural resources to adopt rules prescribing the standards to issue and deny aquatic plant management permits and fees for such permits.

Exempt Rules

Laws of 2003, Chapter 128, Article 1, Section 119, amends the fee for a permit for the destruction of rooted aquatic vegetation and the maximum fee per permit authorizing the harvest of aquatic plants. *Laws of Minnesota 2004*, Chapter 255, Section 42, amends the fee schedule authority for permits to control aquatic plants and rooted aquatic vegetation and provides for no fee for the control of purple loosestrife.

The Department of Natural Resources finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest in amending the fees for aquatic plant management permits. Pursuant to *Minnesota Statutes*, section 14.388, clause (3), the amendments to the permit fees incorporate specific language set forth in *Laws of 2003*, Chapter 128, Article 1, Section 119, and *Laws of 2004*, Chapter 255, Section 42, with no interpretation of law required. In addition, *Laws of Minnesota 2004*, Chapter 255, Section 50, authorizes the amendment of *Minnesota Rules*, part 6280.0450, subpart 4, under the procedures of *Minnesota Statutes*, sec. 14.388, clause (3).

NOW THEREFORE, IT IS ORDERED, that the rules identified as: Rules of the Department of Natural Resources relating to aquatic plant management permits, in the form set out in the Revisor's draft, file number RD3443, dated October 7, 2004, are adopted this 22nd day of December, 2004, pursuant to the authority vested in me by *Minnesota Statutes*, section 103G.615 and *Laws of 2003*, Chapter 128, Article 1, Section 119, and *Laws of 2004*, Chapter 255, Sections 42 and 50.

Gene Merriam
Commissioner of Natural Resources

6280.0450 PERMIT APPLICATION, FEES, AND ANNUAL REPORT.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **APM permit application fees.** Items A to C apply to APM permit fees.

A. When application is made to control two or more nuisance conditions, only the larger fee applies. A permit application fee, in the form of a check or money order payable to the Minnesota Department of Natural Resources, must accompany each permit application when required by the following fee schedule:

(1) to control ~~rooted~~ aquatic ~~macrophytes vegetation~~ by pesticide means, to install and operate an automatic untended aquatic plant control device, or to control emergent or floating-leaf ~~rooted~~ aquatic ~~macrophytes vegetation~~ by mechanical means: ~~\$20~~ \$35 for each contiguous parcel of shoreline owned by an owner, up to a maximum of ~~\$200~~ \$750;

(2) ~~except as provided under subitems (6) and (7), to control nonrooted aquatic vegetation by pesticide means: \$20 for each contiguous parcel of shoreline owned by an owner, up to a maximum of \$200;~~

(3) to control submerged ~~rooted~~ aquatic ~~macrophytes vegetation~~ in an area larger than 2,500 square feet, by mechanical means: ~~\$20~~ \$35 for the first acre or portion of an acre and \$2 for each additional acre or portion of an acre to be controlled, up to a maximum of ~~\$200~~ \$750;

~~(3)~~ (4) to gather or harvest aquatic macrophytes or plant parts, other than wild rice, for sale purposes: no charge;

~~(4)~~ (5) to transplant aquatic macrophytes or bog into public waters: no charge;

~~(5)~~ (6) to control chara, filamentous algae, snails that carry swimmer's itch, or leeches, singly or in combination: \$4 per 100 shoreline feet or portion proposed to be treated, up to a maximum of \$200;

~~(6)~~ (7) to control algae by lakewide application of copper sulfate or other approved algicide: \$20 plus 40 cents per acre to be treated, up to a maximum of \$200; and

~~(7)~~ (8) to control purple loosestrife (*Lythrum salicaria*) ~~by chemical means~~: no charge.

[For text of items B and C, see M.R.]

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

Department of Natural Resources

Adopted Exempt Permanent Game and Fish Rules Relating to Designated Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 97C.005.

Dated: January 27, 2005

Gene Merriam
Commissioner of Natural Resources

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

Exempt Rules

[For text of subs 1 to 3, see M.R.]

[For text of sub 4, see 28 SR 1361]

[For text of subs 5 to 50, see M.R.]

Subp. 51. Walleye 18- to 26-inch protected slot limit. While on or fishing in the following waters, all walleye in possession must be less than 18 inches in length or greater than 26 inches in length. All walleye that are 18 to 26 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit for walleye is four fish. Possession and daily limit may not include more than one walleye over 26 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Leech Lake</u>	<u>T.141-144, R.2832,</u>	
	<u>S.Various</u>	<u>Cass and Hubbard</u>

EFFECTIVE DATE. Minnesota Rules, part 6264.0400, subpart 51, is effective May 14, 2005.

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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 Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on February 28, 2005, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 40 acres of bare farmland located 5 miles north of Jackson, MN on Highway 71, 3 3/4 miles east on 850th St.; Section 21, Enterprise Township, Jackson County, Minnesota on behalf of Jed and Tracy Hesebeck, (the Borrower/s).

The maximum aggregate face amount of the proposed bond issue is \$90,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof.

Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: February 2, 2005

Jim Boerboom
RFA Director

Minnesota Comprehensive Health Association

Notice of Meeting of the Public Policy Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Public Policy Committee will be held at 10:30 a.m. on Wednesday, February 16, 2005. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

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Minnesota Environmental Quality Board

CORRECTION TO: Request for Comments on Possible Amendments to Rules Governing Routing of Proposed Intrastate Pipelines, *Minnesota Rules 4415*

Corrected Deadline. The deadline listed in last week's *State Register* is wrong. The CORRECT DEADLINE is March 21, 2005.

Minnesota Environmental Quality Board

REQUEST FOR COMMENTS on Proposed Amendments to Rules Governing the Environmental Review Program, *Minnesota Rules*, chapter 4410,

Subject of Rules. The Minnesota Environmental Quality Board (EQB) is considering making revisions to the existing rules governing the Environmental Review Program. These are the rules under which Environmental Assessment Worksheets (EAWs), Environmental Impact Statements (EISs), and other environmental review documents are prepared.

The EQB has identified about 50 rule provisions that will be considered for amendment. Those provisions are enumerated in the document described under "Rule Drafts" below. Included are changes resulting from the EQB 2004 study of mandatory EAW threshold levels, and also other housekeeping and technical rule change proposals that have been identified by the EQB staff over the last few years.

Persons Affected. The proposed amendments may specifically affect project developers, local units of government and state agencies, citizens groups, and environmental groups. However, changes to the rules governing the Environmental Review Program may directly or indirectly affect all citizens of the state.

Statutory Authority. *Minnesota Statutes*, sections 116D.04 & 116D.045, establish the Environmental Review Program and authorize the EQB to adopt administrative rules governing its operation.

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 April 18, 2005.

Advisory Groups. The EQB is considering forming several advisory groups to discuss certain of the proposed amendments more formally, especially the possible amendments to the mandatory EAW categories. *Any person interested in serving on an advisory group is asked to contact the EQB by March 4.*

Rule Drafts. A preliminary draft of the amendments being considered by EQB is available at the EQB website, www.eqb.state.mn.us, and from the EQB contact person noted below. The preliminary draft contains possible amendments to 47 existing rule parts or subparts, including proposed amendments to the mandatory EAW thresholds for five existing EAW categories (nonmetallic mineral mining, air pollution, wastewater systems, animal feedlots, and historical places) and the establishment of two new categories specific to lakeshore development and to development near highly important natural resources.

Proposed language has not been developed for all of the possible amendments. For some of the 48 provisions being considered, the preliminary draft is limited to describing the issues or problems sought to be resolved through amending the rules or to presenting a conceptual revision without specific rule language.

Agency Contact Person. Written or oral comments, questions, requests to be appointed to an advisory group, requests to receive the preliminary draft of the proposed amendments, or requests for more information on these possible amendments to rules should be directed to:

Gregg Downing
Environmental Quality Board
300 Centennial Building, 658 Cedar Street
St. Paul, MN 55155
Telephone: (651) 205-4660
Fax: (651) 296-3698
E-mail: gregg.downing@state.mn.us
TTY users may call the Board at 800-627-3529.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the administrative law judge reviews the comments, you should resubmit the comments after the rules are

formally proposed. The EQB presently anticipates that rules may be formally proposed sometime in mid-2005.

Dated: February 1, 2005

Robert A. Schroeder, Chair
Environmental Quality Board

Department of Human Services

Authorization List of All Drugs That Have Been Added Requiring Authorization as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added drugs to the current authorization list. The newly added drug codes will require authorization on or after March 1, 2005.

As authorized by *Minnesota Statutes*, section 256B.0625, subd 25, the following list includes all drugs that have been added requiring authorization as a condition of MHCP payment. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health service needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health service are generally available.
- D. The health service is investigative.
- E. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- I.
- H. The health service could be considered cosmetic.

These newly added non preferred drugs will require Authorization for services provided on or after March 1, 2005.

DRUGS

Added Drugs

Lipitor
Crestor
Pravachol
Ditropan
Enblex
Sanctura
Vesicare
Mobic
Istalol

Department of Human Services

Health Care Purchasing and Delivery Systems Division, Health Care Administration

Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source

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drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), August 23, 2004 (29 SR 224-225), November 8, 2004 (29 SR 510), November 15, 2004 (29 SR 534-535), and February 7, 2005 (29 SR 923-924).

Effective February 22, 2005, the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
33580	CIPROFLOXACIN	.3%	2.79
27901	BUPROPION	150 MG	1.09
33192	BENAZEPRIL/HCTZ	10-12.5 MG	.18
33193	BENAZEPRIL/HCTZ	20-12.5 MG	.18
33194	BENAZEPRIL/HCTZ	20-25 MG	.18
48611	BENAZEPRIL	5 MG	.13
48612	BENAZEPRIL	10 MG	.13
48613	BENAZEPRIL	20 MG	.13
48614	BENAZEPRIL	40 MG	.13

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$30,000 for State Fiscal Year 2005 (July 1, 2004 through June 30, 2005).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to:

Cody Wiberg, Pharm.D., R.Ph.
Pharmacy Program Manager
Health Care Purchasing and Delivery Systems Division
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3854
Phone: (651) 296-8515
Email: cody.c.wiberg@state.mn.us

Department of Labor and Industry Labor Standards Unit

Notice of Correction to Highway/Heavy Prevailing Wage Rates

A **correction** has been made to the Highway/Heavy Prevailing Wage Rates certified 10/11/04, for **Labor Code 407, Electrician in Region 5**.

Copies with the correction of the certified wage rates for this Region may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener
Commissioner

Department of Natural Resources

Request for Proposals 70 Mile OHM / ATV Trail

Introduction. The Minnesota Department of Natural Resources (hereinafter 'DNR') requests that Counties submit proposals that conceptually describe a continuous 70-mile All-Terrain Vehicle/Off-Highway Motorcycle (ATV/OHM) Trail to be located on state and county lands.

Background. The 2003 legislature directed the DNR to plan, design, map, construct, designate and sign a continuous 70-mile ATV / OHM trail on state and county lands and appropriated funds for this purpose. This legislation directs the DNR and Counties to work cooperatively to accomplish this task.

ATV BILL of 2003 — Sec. 169. [CONTINUOUS TRAIL DESIGNATION.]

(a) The commissioner of natural resources shall locate, plan, design, map, construct, designate, and sign a new trail for use by all-terrain vehicles and off-highway motorcycles of not less than 70 continuous miles in length on any land owned by the state or in cooperation with any county on land owned by that county or on a combination of any of these lands. This new trail shall be ready for use by April 1, 2007.

(b) All funding for this new trail shall come from the all-terrain vehicle dedicated account and is appropriated each year as needed.

(c) This new trail shall have at least two areas of access complete with appropriate parking for vehicles and trailers and enough room for loading and unloading all-terrain vehicles. Some existing trails, that are strictly all-terrain vehicle trails, and are not inventoried forest roads, may be incorporated into the design of this new all-terrain vehicle trail. This new trail may be of a continuous loop design and shall provide for spurs to other all-terrain vehicle trails as long as those spurs do not count toward the 70 continuous miles of this new all-terrain vehicle trail. Four rest areas shall be provided along the way.

Purpose & Need. Recognizing that counties play an important role in providing off-highway vehicle riding opportunities, the DNR hereby invites Counties, acting singly or in combination, to submit a cooperative State/County proposal for siting the above referenced 70-mile ATV/OHM trail. This proposal should be conceptual in nature, with the understanding that once a project is selected, a final trail alignment and trail design will be determined. Depending upon the nature of the proposal, the DNR may or may not assume the lead on project design, development and/or environmental review and permitting steps.

Proposal Requirements. At a minimum, proposals submitted should include:

- A description of how the proposal satisfies legislative intent.
- A conceptual map, including a breakdown of trail mileage which identifies proposed new corridor construction versus existing trail miles. Describe all current uses of any existing road and/or trail corridors.
- An overview of terrain, soils, vegetation, surface water, riparian and wetland conditions.
- Anticipated community support, including local ATV / OHM club support.
- Identify possible trail connections, notable destinations, and off-road access to rider support services or amenities.
- A description of how the public's right to access and occupy the proposed project area would be secured, if not already in public ownership.
- An overview of design, construction, ~~Discuss~~ maintenance, monitoring and enforcement issues.
- Suggested Roles and responsibilities assigned to all project principals and cooperators.
- An overview of potential social, economic and environmental issues that might result from this project. The overview should, at a minimum, discuss surface water and wetland issues, potential wildlife habitat concerns, and concerns related to soils or landforms. Other natural features should be generally described and evaluated. Potential social and economic issues (e.g., noise, traffic, emissions) should also be discussed.

Nature of Contract. The successful bidder will be expected to work cooperatively with DNR to plan, design, site and construct a 70-Mile ATV/OHM trail in Minnesota according to the schedule outlined below. Payment, if any, will be tied to the completion of major tasks.

Contents of the Proposal Document. In order to facilitate DNR review, proposals should be organized as follows:

1. Describe the conceptual proposal, including all major tasks, timeframes and deliverables;
2. Identify any assumptions or limitations implicit in your proposal, and clearly outline suggested roles and responsibilities, both long and short-term, which are critical to project success;
3. Contact information, qualifications and key personnel assigned to the project. Describe proposed project management structure, communications, supervision and work flow.
4. Disclose any potential conflicts of interest as described and prohibited under state law.

Schedule. Payment, if requested, will be tied to the completion of the following milestones.

- 2005 February - Request for Proposals Issued (90 days provided). Publication in *State Register*.
- 2005 May - Proposals received & evaluated.

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2005 June - Project is selected.

2005 July - DNR works with selected county or counties to identify preliminary route(s).

2005 October - EAW process initiated. Wetlands Delineation.

2006 May - Begin trail construction pursuant to completion of project Environmental Review.

2007 April - Trail (mostly) open and ready for use.

2007 November - Trail development complete.

Submittals. All proposals must be received by 4:30 PM on Friday, May 20, 2005. All submissions, or questions about this solicitation, should be directed to: Mr. Tim Browning, Statewide Program Manager, MN DNR, Trails & Waterways, c/o 1601 Minnesota Drive, Brainerd, MN 56401. **Phone:** (218) 833-8713 or **E-mail:** tim.browning@dnr.state.mn.us. All proposals received by the due date will be evaluated.

Minnesota Pollution Control Agency

Notice of Intent to Approve the Annexation of Specified Areas Adjacent to the Lake Washington Sanitary District in Accordance with *Minnesota Statutes* § 115.18 through 115.21

The Lake Washington Sanitary District, Township of Kasota, and LeSueur County has petitioned the Minnesota Pollution Control Agency (MPCA) to approve the annexation of specified area adjacent to Lake Washington Sanitary District. The territory of the existing Lake Washington Sanitary District is legally described as:

Within Washington Township:

Corner's Point Subdivision, LeSueur County, Minnesota.

All that part of Section 6, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 7, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 8, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 9, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive and northerly of Patterson Road; also that part of the westerly 600 feet of the Southwest Quarter of said Section 9 lying southerly of Patterson Road.

Washington Park Subdivision, Washington Park Subdivision No. 2, Lundin's Lake Washington Subdivision, Loeffler's Subdivision No. 2, Loeffler's Subdivision No. 1, Linder Bay, and Block One, Hiniker's Rolling Acres; Section 17, Township 109 North, Range 25 West, LeSueur County, Minnesota. Also that part of said Section 17, lying westerly of the following described line; beginning at the southeast corner of said Hiniker's Rolling Acres; thence south to the south line of said Section 17 and there terminating.

Within Jamestown Township:

Gurni Subdivision No. 2, Gurni Subdivision No. 3, Section 20, Township 109 North, Range 25 West, Blue Earth County, Minnesota, and that part of said Section 20 lying northerly of County Road No. 2. Also that part of said Section 20 described as follows: beginning at the southwest corner of Lot 7, Block 2, Gurni Subdivision No. 3; thence south 400 feet; thence west 200 feet; thence northwesterly to the intersection of the south line of said Gurni Subdivision No. 3 and the shoreline of George Lake; thence east on said south line to the point of beginning.

Gurni Subdivision No. 2, Williwan Knolls Subdivision, and all that part of Section 19, Township 109 North, Range 25 West, Blue Earth County, Minnesota, lying northerly of Jessica Drive and northerly of County Road No. 2.

Within Kasota Township:

All that part of Section 18, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying easterly and northerly of Crystal Cove Road. Also that part of said Section 18 lying northerly of the following described line:

beginning at the southwest corner of West Addition to Kennywood Beach Subdivision; thence west to the west line of said Section 18 and there terminating.

All that part of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying northerly of Limberdink Road and easterly of County Road No. 19.

All that part of Government Lots 3 and 4, Section 12, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying easterly of Baker's Bay Road, and lying southerly and easterly of the northerly and westerly lines of Wakefield's Sunrise Acres and Wakefield's Sunrise Acres No. 2. Also lying southerly of the following described line: beginning at the northwest corner of Wakefield's Sunrise Acres No. 2; thence west to County Road No. 19 and there terminating. Also that part of Government Lots 1 and 2, and that part of the east 600 feet of the Northwest Quarter of said Section 12, lying northeasterly of County Road No. 19.

All that part of Section 1, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

The territory proposed to be annexed into the Lake Washington Sanitary District is legally described as:

All that part of the Northwest Quarter of Section 12, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying easterly and northerly of County Road No. 19, excepting therefrom the East 600 feet, also excepting therefrom the following described parcel: Beginning at the Northeast corner of the West 140 acres of the Northwest Quarter of said Section 12; thence South on the East line of said West 140, 700 feet, thence North 69 degrees 00 minutes West, 680 feet; thence South 60 degrees 00 minutes West to the centerline of Shanaska Creek the point of beginning of the tract to be described; thence continuing South 60 degrees 00 minutes West to the easterly right of way line of County Road No. 19; thence northerly along said easterly right of way line to the centerline of Shanaska Creek; hence southeasterly along said centerline to the point of beginning.

That part of Government Lot 3 of Section 12, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying North of Wakefields Sunrise Acres, lying West of Baker Bay Road and East of a line being 300 feet West of the West line of Baker Bay Road.

The West 400 feet of the North 400 feet of the Southwest Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota, and the West 50 feet of the Northwest Quarter of the Southeast Quarter and the West 50 feet of the Southwest Quarter of the Northeast Quarter of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying South of the North line of Limberdink Road.

That part of the Southwest Quarter of the Southeast Quarter and part of the West 10 acres of the Southeast Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota, described as follows: commencing at the South Quarter corner of Section 13; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of the Southeast Quarter of Section 13, a distance of 1054.29 feet to the point of beginning; thence North 01 degrees 09 minutes 45 seconds West, 584 feet; thence North 82 degrees 32 minutes 39 seconds East, 352.39 feet; thence North 86 degrees 55 minutes 48 seconds East, 249.75 feet to the East line of the West 10 acres of the Southeast Quarter of the Southeast Quarter of Section 13; thence South 01 degrees 09 minutes 45 seconds East along said East line, 643.11 feet to the South line of the Southeast Quarter of Section 13; thence North 90 degrees 00 minutes 00 seconds West along said South line 600 feet to the point of the beginning, and the South 50 feet of the Southeast Quarter of the Southeast Quarter of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota.

The South 50 feet of Section 18, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying West of the East line of Crystal Cove Road.

A map displaying the boundaries of the proposed annexation area and current Lake Washington Sanitary District boundaries is available at the MPCA.

The public has 30 days to submit written comments on the petition and the proposed name change. If a person objects to the petition

Official Notices

or name change, that person may submit a written request for a hearing. The rules can be accessed at the Blue Earth County Library in Mankato, the St. Peter, St. Paul and Minneapolis Public Libraries, Mankato City Hall, the Office of the Revisor of Statutes **website** at: <http://www.revisor.leg.state.mn.us/arule/7000/> or by contacting Deb Lindlief at the MPCA. Written comments or written requests for hearing must be submitted to the MPCA by 4:30 p.m. on March 16, 2005. If twenty-five (25) or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the public hearing, the MPCA Commissioner will decide whether to approve the petition for annexation of area to the Lake Washington Sanitary District unless, as provided by *Minnesota Statute* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board make the decision on approval of the petition for annexation of area to the Lake Washington Sanitary District. Your petition must be in writing and must be received by the MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for annexation of area to the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolutions, map of the proposed annexation area and the existing sanitary district with legal descriptions, and other documents relevant to the petition can be requested from the MPCA. Comments, questions, and requests for a hearing regarding the annexation to the sanitary district and requests for information must be submitted in writing to:

Deb Lindlief
Municipal Division
Minnesota Pollution Control Agency
525 South Lake Avenue, Suite 400
Duluth, Minnesota 55802
Telephone: (218) 529-6268
Toll-free: (800) 657-3864
TTY: (651) 282-5332
Fax: (651) 723-4727
E-mail: deb.lindlief@pca.state.mn.us

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audio tape, and other languages upon request.

Department of Revenue

Notice of Open Forum Meeting Concerning a Consultant's Report that Reviews Minnesota's Statutes and Rule Concerning Utility Valuation for Property Tax Purposes

The Department of Revenue will host a meeting on Wednesday, March 9 from 8:30 a.m. to 4:00 p.m. at the Minnesota Department of Revenue, Room 2000 (Skjegstad Room) 2nd Floor, Stassen Building, 600 North Robert Street, St. Paul, Minnesota, 55146. Mr. Brent Eyre, a consultant hired by the Department of Revenue to review Minnesota's Statutes and Rules concerning utility valuation for property tax purposes, will summarize his report and discuss his findings and recommendations. A copy of the report is posted on the Department of Revenue's **website** at www.taxes.state.mn.us/taxes/other_supporting_content/rule_report.shtml.

If you have written comments or suggestions concerning the report, send them to the contact listed below, and they will be forwarded to Mr. Eyre.

Harriet Sims
Appeals and Legal Services Division
Minnesota Department of Revenue
600 North Robert Street
St. Paul Minnesota, 55146-2220
Phone: (651) 556-4085
Fax: (651) 296-8229
E-mail: harriet.sims@state.mn.us
TTY users may call the Department at Minnesota Relay 711.

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 Notice of Funds for Local Self Advocacy Groups

The Governor's Council on Developmental Disabilities (GCDD) is pleased to announce the availability of a total of \$15,000 in funds to strengthen local self advocacy groups in Minnesota. Funds can be used for self advocates (people with developmental disabilities) to develop leadership skills. The minimum grant award to a local self advocacy group will be \$500 and the maximum will be \$2,500.

Activities must be completed and funds used by September 15, 2005. Eligible applicants are local self advocacy groups in Minnesota. **Application deadline is Friday, March 18, 2005 at 4:00 p.m.** **Please note:** The GCDD reserves the right to award less than the maximum of funds to applicants, refuse to fund an activity, or withdraw the availability of funds with notice.

All responders for funds must use the GCDD application for this competition. For additional information or to request an application form, 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: (877) 348-0505
MN Relay: (800) 627-3529
Email: admin.dd@state.mn.us

The application is also available at www.mnddc.org OR www.mncdd.org. See "News Items" on the home page.

Minnesota Housing Finance Agency Notice of Public Hearing on 2006 Housing Tax Credit Allocation Plan

The Minnesota Housing Finance Agency (MHFA) will hold a public hearing pursuant to Section 42 of the Internal Revenue Code of 1986, as amended. The public hearing will be held at the time and place listed below:

Tuesday March 8, 2005
1:00 p.m. – 3:00 p.m. – Jelatis Conference Room, 3rd Floor
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN

The Omnibus Budget Reconciliation Act of 1989 (OBRA) requires that Housing Tax Credit Allocating Agencies develop a plan for allocating tax credits within their jurisdiction, setting forth criteria to determine priorities for selection of developments to receive tax credits. The OBRA also requires Tax Credit Agencies to hold a public hearing to receive public comment on the Allocation Plan.

The above public hearing is for the 2006 Allocation Plan developed by MHFA, in cooperation with local government representatives, for use within the Tax Credit Allocation jurisdiction of the MHFA. Other Tax Credit Suballocating Agencies in Minnesota will be holding public hearings for their areas of jurisdiction. Currently, the following cities and counties are eligible to be Suballocating Agencies in Minnesota: Duluth, St. Cloud, Rochester, Minneapolis, St. Paul, Washington County and Dakota County.

All persons interested will be given an opportunity to express their views. In order to more effectively plan for the conduct of the hearings, persons desiring to speak at the hearing must so request in writing at least 24 hours before the hearing. Oral remarks by any person will be limited to 10 minutes. Written comments may also be submitted to the undersigned, and will be considered at the hearing.

Note that this public hearing is not a workshop or training session, but is intended to solicit the comments of the public.

State Grants & Loans

Copies of summaries of the proposed changes to the Housing Tax Credit Procedural Manual and Qualified Allocation Plan are available at the address listed below, by written or phone request or by checking the MHFA web site.

Minnesota Housing Finance Agency
Multifamily Underwriting
Housing Tax Credit Program
400 Sibley Street, Suite 300
St. Paul, MN 55101
Phone: (651) 296-4451
Website: www.mhfa.state.mn.us

Minnesota Department of Human Services

Deaf and Hard of Hearing Services Division

Notice of Request For Proposal To Arrange for Access To Mental Health Care Services for Deaf Minnesotans

The Minnesota Department of Human Services Deaf and Hard of Hearing Services Division is soliciting a Request For Proposal (RFP) from qualified applicants for the following project:

- To arrange access for deaf consumers to a minimum of five local mental health care providers in Minnesota by identifying interested providers and purchasing and installing the needed equipment to allow those providers to offer mental health services through the provision of online interpreting services. In addition, the selected applicant would be responsible for informing and educating the deaf community of the availability of such services. The identified mental health providers would be located regionally throughout Minnesota in accord with identified need for such services.

Funding amount: Not to exceed \$50,000. Contract dates: March 2005 – June 30, 2005.

To request a full text of the RFP please contact:

Deb L. A. Olson, Program Planner
Deaf and Hard of Hearing Services Division
444 Lafayette Road North
St. Paul, MN 55155-3814
Phone: (651) 296-5214 voice,
TTY: (651) 297-1506
Email: deb.olson@state.mn.us

Proposals must be submitted in the format described in the Request For Proposal. Proposals must be received no later than 4:20 p.m. on March 7, 2005. Late proposals will not be considered and will be returned unopened to the submitting party.

NOTE that other department personnel are NOT allowed to discuss the Request For Proposal with anyone, including responders, before the proposal submission deadline.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at 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 Designer Selection Board

Request for Proposals for Designer Selection for Carlson School of Management Expansion, University of Minnesota, Minneapolis Campus (Project 05-03)

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, February 28, 2005** 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
Phone: (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.h.

1. PROJECT 05-03

a. PROJECT DESCRIPTION: The University of Minnesota intends to enter into a contract with a design team to provide complete predesign, programming, design, construction procurement, and construction administration services for the construction of a new instructional building for the Carlson School of Management (CSOM). The new building will be located on a site directly south of the existing CSOM Building. It will accommodate planned growth for the CSOM undergraduate and evening MBA programs.

The building, which will contain approximately 120,000 gross square feet, will include the following components for the CSOM:

• Undergraduate classrooms (75 to 160 capacity)	19,900 ASF
• Undergraduate student support	22,800 ASF
• Undergraduate business career services	3,100 ASF
• Collaborative learning and student study	8,200 ASF
• Industrial Relations reference library	3,500 ASF

The building will also contain 10,500 ASF of additional general purpose classrooms ranging in size from 50 to 90 capacity that will be used for other academic units.

b. REQUIRED CONSULTANT SERVICES: The scope of work will include full architectural/engineering services including architectural, landscape architectural, mechanical, electrical, structural, civil, interior design, scheduling, cost estimating, construction procurement, and construction administration services.

The design team will be directed to:

1. Prepare a predesign study, including a detailed facility program, site and infrastructure analysis, definition of the scope of work, and construction cost analysis in accordance with the University's predesign outline.
2. Prepare schematic design, design development, and contract documents for the proposed facility.
3. Assist with construction procurement and provide construction administration services after construction funding is obtained from the state.

The design team will be directed to work with an independent Construction Manager throughout the predesign and design process to develop the scope of work and cost estimates.

State Contracts

The program statement, which includes the preliminary space allocation for proposed programmatic functions, will serve as the basis for detailed programming of the facility. The West Bank Arts District plan will provide direction for siting the building and the development of the project site. These two documents and the University's predesign outline are available at www.cppm.umn.edu under "Project RFP and Appendices".

c. PROJECT BUDGET/FEES: The project budget for this building, including all infrastructure improvements and site development, is \$30 million. The construction budget will be determined during the predesign process, but is anticipated to be approximately \$22 million. Fees for the work will be negotiated with the selected design team, and will include basic services, expenses, and special services as required.

d. SPECIAL CONSIDERATIONS: The designer shall have applicable prior experience in the design and construction administration of similar projects, preferably in a University setting. Specific experience should include:

- Design and construction administration of technology-rich classrooms and learning environments
- Design and construction administration of competitive business career services centers
- Design and construction administration of landscape and streetscape development that strengthens the campus image
- Sustainable design for large-scale public buildings
- Successful experience with and direction of building advisory committees
- Successful experience with the Construction Manager at Risk project delivery method

Proposers shall provide examples of recently completed projects for review by the University Selection Committee and the State Designer Selection Board. Proposers shall also provide a list of clients for similar projects worked on within the last five years along with the names, phone numbers, and addresses of contact persons.

Selection will be based on:

- The strength of the entire project team, including all sub-consultants
- The organization and management structure of the design team, and past working relationships of individual members
- The quality of experience by team members on comparable projects
- The team's understanding of the project requirements and its approach to addressing them
- The team's understanding of campus planning and contextual design
- The team's ability to manage successful projects within the established scope of work, schedule, and budget

e. PROJECT SCHEDULE: Programming and predesign work will commence promptly after selection and should be completed by July 15, 2005. Schematic design will proceed immediately after approval of the predesign by the University and review and recommendation by the Commissioner of Administration. Design development, contract documents, construction procurement, and construction administration services will occur after construction funding is obtained. The University intends to request construction funding from the state in the 2006 Legislative session.

f. PROJECT INFORMATIONAL MEETING (S) /SITE VISIT (S): A pre-proposal informational meeting and site visit for interested firms will be held on Monday, February 22, in Room 2-260 Z, Carlson School of Management, 321 – 19th Avenue South, Minneapolis, MN 55455 on the West bank Campus.

g. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Proposals Due:

Project Shortlist:

Project Information Meeting for Shortlisted firms:

Project Interviews and Award:

Monday, February 28, 2005, by 1:00 p.m.

Tuesday, March 15, 2005

To be Set by user agency

Tuesday, March 29, 2005

h. PROJECT CONTACT (S):

Harvey Jaeger, Project Manager

Phone: (612) 624-3305

Email: jaege001@umn.edu

i. SAMPLE CONTRACT: None

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 in ink (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.

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.dsbcb.admin.state.mn.us>,

State Contracts

click on forms. (Not counted as part of the 20 faces)

- A list of all State, Minnesota State Colleges and Universities (MnSCU) and University of Minnesota 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, MnSCU or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies, MnSCU or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies, MnSCU or the University of Minnesota 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 paragraph 1, project 05-03. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms, capacity to accomplish the work and services within the required constraints, availability of appropriate personnel 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.dsbc.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 organizational 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.08 Subd. 2. (b) (1), 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. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management Helpline at (651) 296-2600, TTY (651) 282-5799.

h. 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.dsb.admin.state.mn.us>.

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

j. 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 Department of Military Affairs, for Mechanical-Electrical Commissioning Authority Services for a New National Guard Army Aviation Support Facility (AASF) (Phases I and II), St. Cloud, MN (Project 05-02)

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, February 28, 2005** 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
Phone: (651) 297-1545

State Contracts

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 05-02

a. PROJECT DESCRIPTION: The proposed project is a two phased project over two consecutive Federal fiscal years to build a new Army National Guard Aviation facility at the St. Cloud, Minnesota Airport. This facility will house and support Chinook and Blackhawk helicopters.

PROJECT SCOPE: Phase I of the project will be 69,131 square feet and will consist of the construction of aircraft maintenance bays, allied shops, flammable materials storage, controlled waste storage and the supporting facilities necessary to allow the maintenance of UH 60 Blackhawk and CH 47 Chinook helicopter aircraft. The facility will be a specially designed facility of permanent masonry and steel construction, concrete floor, mechanical and electrical equipment. Supporting facilities are rigid and flexible paving for aircraft parking/tie down pads, ground support equipment, hover lanes, fuel storage/dispensing system, aircraft wash facility, fire protection, and fencing. Physical security measures will be incorporated into design including maximum feasible standoff distance from roads, parking areas, and vehicle unloading areas, berms, heavy landscaping, and bollards to prevent access when standoff distance cannot be maintained.

Phase II of the project will be 75,033 square feet and will consist of two (2) rotary wing maintenance bays, Flight Operations, administrative areas, Aviation Life Support Equipment Shop, simulations area, Ground Support Equipment Storage, aircraft wash facility, aircraft storage facility and the supporting facilities to complete a modern aircraft maintenance facility.

A possible future phase III will need to be considered in the overall design that would include aircraft maintenance bays, some allied shops and supporting facilities.

b. REQUIRED CONSULTANT SERVICES:

The Department of Military Affairs (DMA) has elected to use the Commissioning Process as their quality process to increase the performance and operational reliability of this facility's communication, mechanical, electrical, life safety and climate controls systems. The following is a summary of the Commissioning Authority's responsibilities during the various phases of the project for the HVAC, Electrical and Controls portions of the work:

1) Commissioning During Design Phase

- a) Work with the design team to document the Design Intent of the building.
- b) Develop a complete commissioning plan that focuses on integration of the quality process characteristics of commissioning into the project.
- c) Assist the mechanical and electrical design team members in developing their portions of the Design Intent and basis of design.
- d) Perform statistically based quality design reviews of the drawings and specifications at 50% and 95% completion points of the design phase. Prepare a written evaluation/critique for design team evaluation.
- e) Prepare for inclusion in the Contract Documents commissioning requirements for the construction and warranty phases of the project.

2) Commissioning During Construction Phase

- a) At the pre-construction meeting, conduct a separate session that will deal specifically with the commissioning process and requirements for all contractors, subcontractors and suppliers.
- b) Schedule and conduct additional commissioning construction meetings at least once per month during construction to plan, test and coordinate future activities and resolve problems.
- c) Review all HVAC, electrical and controls submittals for compliance with commissioning needs.
- d) Perform site visits, as necessary, to observe component and system installations. Prepare written report of actions taken at the site.
- e) Work with the Contractors to prepare and complete construction checklists used to assure complete and quality construction.
- f) Statistically sample completion construction checklists on a periodic basis to verify correct and complete installation/construction.
- g) Develop specific functional performance test procedures.
- h) Observe the functional test procedures being executed by the Contractors. Ensure that any non-compliance items are corrected and retested.
- i) Prepare the Operation and Maintenance Manuals for all HVAC, Electrical and Controls systems.
- j) Review any proposal requests and requests for information for compliance with commissioning needs and Owners design intent. Assist in resolving any discrepancies.

3) Commissioning During Start Up, Acceptance and Warranty Phases

- a) Approve systems start up by reviewing start up reports and instructions.
- b) Review Testing, Adjusting and Balancing (TAB) execution plans of the Contractors.
- c) Oversee construction and start up (construction checklist) of the control systems and approve them to be used for TAB, before TAB is executed.
- d) Approve air and water systems balancing through statistical sampling of the reports and separate site verification.
- e) Review and pre-approve the training plan to be provided by the contractors/manufacturers.
- f) Verify the training of the Owner's operating personnel provided by the Contractors/Manufacturers.
- g) Review equipment warranties to ensure that the Owner's interests and responsibilities are clearly defined.
- h) Conduct deferred and seasonal testing and performance evaluations as required.
- i) Assist in the 10-month inspection of the facility to assess proper operation of all HVAC, Electrical and Controls systems.
- j) Conduct on going training (seasonal) of the Owner's operating personnel for the first (warranty) year of occupancy.
- k) Provide a detailed operating plan and assist in the development of a preventative maintenance plan.
- l) Conduct a Lessons Learned meeting with the Owner, Contractors, Designers and Users 12 months after occupancy.
- m) Provide a final commissioning report.

4) Systems to be Commissioned: The following systems, including all components and controls, are the focus of the commissioning process due to their complexity and importance in the final building:

- a) All equipment of the heating, ventilating and air conditioning systems.
- b) Central building automation systems, including linkages to remote monitoring and control sites (this excludes security-related systems).
- c) Life safety systems (including all fire suppression systems).
- d) Domestic and process water systems.
- e) Lighting control systems.
- f) Communication systems (including voice and data)
- g) Emergency power systems.

c. SERVICES PROVIDED BY OTHERS: The Owner will hire, under separate contracts, consultants for Architectural/Engineering design/construction administration and furniture design and layout.

d. SPECIAL CONSIDERATIONS:

1) Special considerations include the two phases of the project as well as the consideration in the design for a possible third future phase.

2) Special considerations include participating in a Design Charrette during the schematic phase of the design (currently scheduled for April 5 – 13, 2005).

3) This project will be designed to a "Gold" level in the SPIRIT (similar to LEED) program.

4) **Selection Criteria:** Selection of the Commissioning Authority/Firm will include demonstration of the following requirements:

- a) Have acted as the principal commissioning authority for at least three projects during the past year.
- b) Have extensive experience in the operation and troubleshooting of HVAC systems, energy management control systems and lighting controls systems. Extensive field experience is required. A minimum of five full years in this type of work is required.
- c) Knowledgeable in building operation and maintenance and O&M training.
- d) Knowledgeable in test and balance of both air and water systems.

e. PROJECT BUDGET/FEES: The construction budget for Phase I is \$18,147,000. The construction budget for Phase II is \$11,896,100. The fee will be a negotiated, all-inclusive lump sum for full Commissioning services including travel.

f. PROJECT SCHEDULE:

<i>Schematic Design Phase: (including a Design Charrette)</i>	June 2005
<i>Design Development Phase:</i>	December 2005
<i>Construction Documentation Phase:</i>	December 2006
<i>Bidding period:</i>	Summer 2007
<i>Construction Phase:</i>	October 2007 through October 2009

g. PROJECT PRE-DESIGN INFORMATION: A Planning Charrette was conducted in October 2004 to develop the scope and planning documents for the project. Copies of this information will be shared with the short listed firms to use in their preparation for the final interview

State Contracts

h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S): A project information meeting for the short listed firms will take place at the Facilities Management Office at Camp Ripley in the new Armory Building on Thursday March 17, 2005.

i. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Information Meeting and/or Site Visit:</i>	None
<i>Project Proposals Due:</i>	Monday, February 28, 2005, by 1:00 p.m.
<i>Project Shortlist:</i>	Tuesday, March 15, 2005
<i>Project Information Meeting for Shortlisted firms:</i>	Thursday, March 17, 2005
<i>Project Interviews and Award:</i>	Tuesday, March 29, 2005

j. PROJECT CONTACT (S):

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

Mr. Pat Rolph
Phone# (320) 616-2612
Email: *pat.rolph@mn.ngb.army.mil*

k. SAMPLE CONTRACT: Available upon request, Email: *Carol.Prozinski@mn.ngb.army.mil*

2. PROPOSAL REQUIREMENTS

- a. 10 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 in ink (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.

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 paragraph 1, project 05-02. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms, capacity to accomplish the work and services within the required constraints, availability of appropriate personnel 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

State Contracts

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 organizational 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.08 Subd. 2. (b) (1), 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.

Capitol Area Architectural and Planning Board Notice of Request for Qualifications from Design Professionals to Design the New Hubert H. Humphrey Memorial on the Capitol Grounds

The Capitol Area Architectural and Planning Board (CAAPB) is seeking design professionals (architects, landscape architects, or artists) or teams of individuals, including at least one Minnesota licensed design professional, to design the new Hubert H. Humphrey Memorial on the State Capitol Mall. The Memorial is to include a sculptural life-size representation of the former VicePresident in either stone or bronze.

Once all responses to the RFQ have been reviewed, the CAAPB and their advisory group for the project, including design professionals, friends, and family of the former Vice President, will select between four to seven parties who will then be invited to submit design proposals.

Selection of the final design is scheduled to occur by mid- to late-April 2005. The full budget including design and construction, as well as a maintenance reserve (at ten percent of construction) for the memorial is \$500,000, and construction is anticipated to start by late 2005 or early 2006, dependent upon private fundraising efforts.

Interested parties must submit:

- A letter of interest
- Identification and background of all team members.
- A collection of no more than twelve slides representing past work.
- A list of three professional references.

All responses must be received by 3:00 p.m. (CST), Thursday, March 3, 2005.

Contact person:

Paul Mandell, Project Manager
Capitol Area Architectural and Planning Board
204 Administration Building
50 Sherburne Avenue
Saint Paul MN 55155
Phone: (651) 296-6719
Fax: (651) 296-6718

Nancy Stark, Executive Secretary
Capitol Area Architectural and Planning Board (CAAPB)

Colleges and Universities, Minnesota State Request for Proposals for Executive Conference Center

NOTICE IS HEREBY GIVEN that proposals are being solicited to select an executive conference center to assist Minnesota State Colleges and Universities in hosting a Leadership Development Program from October 30-November 4, 2005.

Applicants must have a facility to accommodate the following:

- Overnight stays for 56 participants in single suites with a Sunday arrival and Friday departure.
- General session room for 56 people.
- 3-4 breakout rooms or areas available throughout the week.
- Private dining area for dinner on two of the five nights for 60 people
- Located within approximately 30 miles of the Minneapolis/St. Paul International Airport.
- All proposals must include a statement that the costs and terms of the proposal are valid through November 4, 2005.

For further information, please contact:

Vickie Schoenbeck
Human Resources
Minnesota State Colleges and Universities
500 Wells Fargo Place, 30 East Seventh Street
St. Paul, MN 55151
Telephone: (651) 296-5709
Fax: (651) 296-0872
E-mail: vicki.schoenbeck@so.mnscu.edu

Proposals are due by Wednesday, February 23, 2005, no later than 4:00 p.m.

State Contracts

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

Colleges and Universities, Minnesota State (MnSCU)

St. Cloud Technical College

Request for Proposals for College Facilities Master Plan

Executive Summary

St. Cloud Technical College is seeking the services of a consulting team to update the existing campus facilities master plan dated July 2000. St. Cloud Technical College, a member of the Minnesota State Colleges and universities System (MnSCU), is a two-year comprehensive technical college offering a wide range of student-centered educational opportunities to enhance personal growth and community vitality for over 12,000 students annually, or 2,750 FYE.

Currently St. Cloud Technical College has one main building, which totals more than 351,000 square feet. As part of the 2004 Capital Request the College is planning a new 45,000 GSF addition and remodeling of approximately 45,000 GSF of existing space.

An update to the facilities master plan is needed to support future capital bonding requests to the Legislature. The plan should define current and future space needs, reflecting short and long-term demographics, enrollment projections, existing physical plant capacity and infrastructure.

Proposals are due by 3:00 pm. on February 25, 2005. Mail or deliver proposals to:

Lori Kloos
Vice President of Finance and Facilities
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303-1240

Electronically transmitted proposals are not acceptable. Proposals received after this time will be returned unopened. Proposals must be clearly marked in the lower left hand corner:

St. Cloud Technical College Facilities Master Plan Proposal.

All copies of proposals that are submitted will be returned to the responding firms.

Project Scope

The Updated Facilities Master Plan shall address the current and future space utilization of the college. The final product should clearly describe the adequacy of current space in support of the academic mission of the college. It should also recommend changes in the space usage that can better enhance and align academic and support areas across the college in light of a changing academic and student services vision in the 21st century.

The consulting team shall meet with the College Master Planning Taskforce and representatives of academic and administrative areas, faculty and students, and community constituents, as appropriate, to assess current utilization and future space needs. The consultant shall also weigh such department input with marketing and institutional data by recommending options that are in the best interests of the college.

The major challenge facing the college in the future is to create an array of options to address the ever-changing educational needs of our students. The College has estimated a budget for consultants fees between \$35,000 and \$45,000. The consulting team shall:

- Collaborate with a College Master Planning Taskforce to develop long-term facility needs for St. Cloud Technical College.
- Compile and analyze data from previous studies and plans to ensure a consistent plan for the College (space utilization, academic plan).
- Prepare a facilities master plan as outlined in MnSCU 2004 Facilities Master Plan Update Guide Planning found at www.facilities.mnscu.edu under master planning.
- Present the plan and recommendations to faculty and staff. Provide 25 bound copies of the final plan plus one unbound copy ready for reproduction.
- Present the plan with the College President to the Office of the Chancellor.

Consulting Qualifications

The consulting team shall have a minimum of 5 years prior experience with college master planning. The prior experience must demonstrate the ability to determine facilities utilization, evaluate multi-campus, assess academic program needs, and project future space needs based on that data.

Required Proposal Information

Name of the firm and its legal status.

- Company background – brief statement of company history and relevant experience.
- Qualifications of all personnel involved with the project
- A brief statement of methodology for gathering academic data relevant to future needs.
- Three references pertinent to Master Plans including contact name, date of work performed, and phone numbers.
- Consultants to state specifically how they will perform the scope of work required for the proposed fee range of \$35,000 to \$45,000—note tasks and milestones.
- Copies of at least three master planning documents that have been completed by the firm.
- Completed and signed “Request for Proposal Offering Form” (attached.)
- A commitment to enter the work promptly, if selected, along with adequate staff to meet the requirements of the work and a proposed schedule to demonstrate the ability to complete the update. The schedule should show key meetings and review time.

Proposals should be no more than 20 pages.

This solicitation does not commit St. Cloud Technical College to award a contract or to pay any costs incurred in the preparation of the proposal. The college reserves the right to accept or reject any and all proposals.

The college will interview one or more consultants for the purpose of discussion and negotiations. The award document will be a contract incorporating all the requirements, terms and conditions of the solicitation, and the consultant’s proposal as negotiated.

Selection Process

Consultants’ responses will be evaluated by the Master Plan Committee based on the experience and demonstrated capacity of the consultant to meet the needs of St. Cloud Technical College. The following criteria will be taken into account in evaluating responses:

- Qualifications/Experience
- Capacity of firm to complete the project on time

Work Schedule

<i>Proposals are due:</i>	February 25, 2005
<i>Interviews:</i>	March 7, 2005
<i>Contract Signed:</i>	March 16, 2005
<i>Notice to Proceed:</i>	March 18, 2005
<i>Complete Updated Master Plan:</i>	August 2005
<i>Present to the Office of The Chancellor</i>	September 2005

Fees

Provide a rate for each fee option plus reimbursable expenses as follows:

- Hourly rate (include a total for all personnel costs listing individual rates.)
- Fixed fee (lump sum fee) includes all personnel costs associated with the project.
- Reimbursable expenses (include reproductions, postage, telephone, and travel.)

For further information please contact:

Don Kremers, Facilities Director
Telephone: (320) 249-0279
E-mail: dkremers@sctc.edu

Lori Kloos
Interim President
Telephone: (320) 308-5026
E-mail: lkloos@sctc.edu

State Contracts

Department of Commerce

Notice of Request for Proposals for Services to Be Provided to the Minnesota Joint Underwriting Association for the Purpose of Conducting an Audit of the Financial Statements of the MJUA and Its Affiliate

The Minnesota Joint Underwriting Association intends to contract with one organization to provide the services according the specifications issued.

Interested parties can download the Formal Request for Proposals at www.MJUA.org

Any questions relating to the RFP, or the services to be provided, should be directed to :

Beth Devine
Minnesota Joint Underwriting Association
Pioneer PO Box 1760
St Paul, MN 55101

Proposals must be submitted by March 31, 2005.

Department of Commerce

Notice of Request for Proposals for Investment Advisor Services to the Provided to the Minnesota Joint Underwriting Association

The Minnesota Joint Underwriting Association intends to contract with one organization to provide the services of an investment advisor according the specifications issued.

Interested parties can download the Formal Request for Proposals at www.MJUA.org

Any questions relating to the RFP, or the services to be provided, should be directed to :

Beth Devine
Minnesota Joint Underwriting Association
Pioneer PO Box 1760
St Paul, MN 55101

Proposals must be submitted by March 31, 2005.

Minnesota Historical Society

Notice of Request for Proposals for Providing Technical Copy, Printing, and Mailing Services for Three Issues of the Society's Planned Giving Newsletter

The Minnesota Historical Society is seeking proposals from qualified and experienced vendors to produce three issues of its planned giving newsletter, *Remembering Minnesota*. Services will include providing well-written, technically correct text for each issue of 13,000 newsletters, where the allowable time from the Society's initial submission of the text to the vendor's delivery of the final product can be no more than six weeks.

The Request for Proposals is available by calling or writing Mary Green Toussaint, Contracting & Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West. St. Paul, Minnesota 55102. **Telephone:** (651) 297-7007 or via e-mail:

mary.green-toussaint@mnhs.org

Bids must be received no later that 2:00 p.m., Local Time, Tuesday, March 8, 2004. No late bids will be accepted.

Dated: FEBRUARY 14, 2005

Department of Public Safety**Office of Traffic Safety****Request for Proposals for Law Enforcement Training by Satellite**

The Department of Public Safety is seeking proposals to develop, direct and conduct a satellite course/conference on traffic safety laws for Minnesota peace officers and to arrange for the broadcast of the course/conference to many sites around the state.

Details are contained in a complete Request for Proposals which may be obtained by calling or writing:

Contact : Terri Thill
Telephone: (651) 284-3708
TTY : (651) 282-6555
Address : Department of Public Safety
Office of Traffic Safety
Suite 150, Town Square
444 Cedar Street
St. Paul, Minnesota 55101-5150

Estimated cost of the contract is \$32,000.00. However, the Department will retain an option to write two additional one year contracts with the selected contractor, not exceeding a total of three years. The value of the contracts for subsequent years may be adjusted. Final date for submitting a proposal is Monday, March 7, 2005 by 2:30 PM. Central Standard Time.

Department of Transportation**Engineering Services Division****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 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>

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.

State Contracts

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.

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

Metropolitan Council

Invitation for Prequalification for Tunneling Contractor for Empire WWTP Outfall and Rosemount Interceptor - Phase III

Prequalification Submittal Documents (PSDs) are solicited by the Metropolitan Council ("Council") for the purpose of establishing a list of prequalified contractors to provide the tunneling work of the Council's Empire WWTP Outfall and Rosemount Interceptor – Phase III project. The contractor that performs the tunneling work (Tunneling Contractor) may be the general contractor for the project or a subcontractor to the general contractor.

The Council intends to use a two-step process to award this project. In this first step, Tunneling Contractors are invited to submit PSDs which will be evaluated based upon the prequalification criteria of the project. After evaluating the submitted PSDs, the Council will inform each Tunneling Contractor of its prequalification status. In the second step, the Council will issue a public Invitation for Bids for the project. Each bidder will be required to list its Tunneling Contractor on the bid form. **Bids will only be accepted from bidders that list a Tunneling Contractor that has been prequalified by the Council.**

Contractors interested in obtaining an Invitation for Prequalification should submit a written request to:

Amanda Houston, Administrative Assistant
Metropolitan Council
230 East Fifth Street
St. Paul, Minnesota 55101
Phone: (651) 602-1585
Fax: (651) 602-1083
E-mail: amanda.houston@metc.state.mn.us

The tentative schedule for this procurement is as follows:

<i>Invitation for Prequalification Issued</i>	February 4, 2005
<i>PSD Due</i>	February 22, 2005 at 2:00 p.m. local time
<i>Notification of Successful Prequalification</i>	March 1, 2005
<i>Invitation for Bids</i>	March 4, 2005
<i>Due Date of Bids</i>	April 5, 2005
<i>Award of Contract</i>	May 2005

Non-State Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) Televised Inspection of Elm Creek Interceptor

RFP Number 05P007

The Metropolitan Council is soliciting proposals for television inspection of Elm Creek Interceptor and report. A tentative schedule is as follows:

<i>Issue Request for Proposals</i>	February 4, 2005
<i>Receive Proposals</i>	February 25, 2005
<i>Contract Award</i>	March 2005
<i>Project Complete</i>	July 2005

All firms interested in submitting a proposal for this work are invited to request an RFP document in writing from:

Harriet Simmons, Senior Administrative Assistant
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1086
FAX: (651) 602-1083
E-MAIL: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals for Temporary Computer Programming Assistance

RFP Number 05P002

NOTICE IS HEREBY GIVEN that the Metropolitan Council acting for its Environmental Services Division (MCES) is soliciting proposals from computer staffing firms to provide support staff on a temporary basis to assist in design and development of the data warehouse information structure and advanced internet applications and e-business solutions using HTML, ASP.Net, vbscript and/or JavaScript/jscript in conjunction with Microsoft SQL Server databases.

MCES is in the process of deploying a new web based environmental reporting system to interface with the data warehouse made up of data elements from MCES real time data marts of all eight sewage treatment plants and various decision support systems. The reporting system will integrate reporting into the web which will utilize different Microsoft web and database technologies along with Crystal Decisions SDK, reporting and management tools to provide web user interface and report creation, generation, scheduling and management via the web.

The **tentative** schedule for this project is as follows.

RFP Issue Date	February 17, 2005
Proposals Due	March 17, 2005
Award of Contract	March 2005

All firms interested in this project should submit a request for a copy of the RFP through:

Harriet Simmons, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 E. Fifth Street, St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Non-State Contracts & Grants

Metropolitan Council - Metro Transit

Sealed Bids Solicited for Supplying Metro Transit with Transfer Tickets for Bus and Rail Service

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for supplying Metro Transit with Transfer Tickets for use in bus and rail service over the next two years. Sample Transfer Tickets must be submitted to Metro transit for testing by March 3, 2005. Qualifying suppliers will be invited to submit a sealed bid, which will be due by 2:00 p.m. on March 18, 2005.

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 379-5070

University of Minnesota

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

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

Request 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, Minneapolis, Minnesota 55454.

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