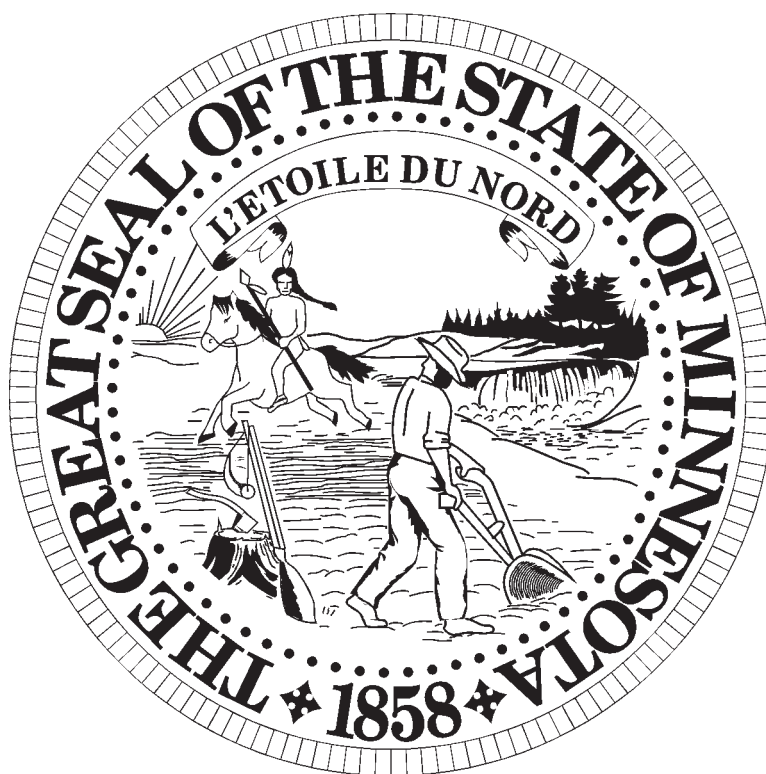


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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

**Monday 17 October 2005**  
**Volume 30, Number 16**  
**Pages 389 - 414**

# State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

**PUBLISHING NOTICES:** Submit ONE COPY of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. E-MAIL submissions to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us), or FAX to: (651) 297-8260. Please follow FAX by sending originals and applicable forms or letters. The charge is \$14.40 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page is about 4/10s of a page in the *State Register*, or \$57.60. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

### SUBSCRIPTION SERVICES:

Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8774. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at website: <http://www.comm.media.state.mn.us>.

- **State Register: On-line subscription** – \$180, includes Early View, LINKS, INDEX, and Sidebar Table of Contents *sent to you via E-mail*.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

## Printing Schedule and Submission Deadlines

Vol. 30 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
# 16	Monday 17 October	Noon Tuesday 11 October	Noon Wednesday 5 October
# 17	Monday 24 October	Noon Tuesday 18 October	Noon Wednesday 12 October
# 18	Monday 31 October	Noon Tuesday 25 October	Noon Wednesday 19 October
# 19	Monday 7 November	Noon Tuesday 1 November	Noon Wednesday 26 October

Copyright © 2005 Communications Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630 (ISSN 0146-7751)

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

Tim Pawlenty, Governor (651) 296-3391  
Carol L. Molnau, Lt. Governor (651) 296-3391  
Mike Hatch, Attorney General (651) 297-4272  
Patricia Anderson, State Auditor (651) 297-3670  
Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:  
Dana B. Badgerow, Commissioner (651) 296-1424  
Communications Media Division:  
Mary Mikes, Director (651) 297-3979

*State Register:*  
Robin Panlener, editor (651) 297-7963  
John Mikes, assistant editor (651) 297-4616  
Jessie Rahmeyer, subscriptions (651) 297-8774

## Minnesota Legislative Information

Senate Public Information Office (651) 296-0504  
State Capitol, Room 231, St. Paul, MN 55155  
Website: [www.senate.leg.state.mn.us/departments/secretary/seninfo.htm](http://www.senate.leg.state.mn.us/departments/secretary/seninfo.htm)

House Public Information Services (651) 296-2146  
State Office Building, Room 175,  
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155  
Website: [www.house.leg.state.mn.us/hinfo/hinfo.htm](http://www.house.leg.state.mn.us/hinfo/hinfo.htm)

## Minnesota State Court System

Court Information Office (651) 296-6043  
MN Judicial Center, Rm. 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,  
St. Paul, MN 55155 Website: [www.courts.state.mn.us](http://www.courts.state.mn.us)

## Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498  
U.S. Government Printing Office – Fax: (202) 512-1262  
Website: [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)

<b>Minnesota Rules: Amendments &amp; Additions</b>	
Volume 30, Issues #14-16, Monday 17 October 2005 .....	392
<b>Proposed Rules</b>	
<b>Employee Relations Department</b>	
CORRECTION: Proposed Permanent Rules	
Relating to State Employment; Personnel.....	393
<b>Adopted Rules</b>	
<b>Chiropractic Examiners Board</b>	
Adopted Permanent Rules Relating to Alternative	
Formats for Continuing Education.....	393
Adopted Permanent Rules Relating to	
Continuing Education for Examiners.....	393
Adopted Permanent Rules Relating to License Transfer.....	394
<b>Exempt Rules</b>	
<b>Natural Resources Department</b>	
Adopted Exempt Permanent Rules Relating to	
General Restrictions on Taking Deer and Fish.....	394
<b>Expedited Rules</b>	
<b>Commerce Department</b>	
Petroleum Tank Release Compensation Board: Proposed	
Expedited Permanent Rules Relating to Consultant Services.....	397
<b>Expedited Emergency Rules</b>	
<b>Natural Resources Department</b>	
Adopted Expedited Emergency Game and Fish Rules:	
Disabled Hunts.....	399
<b>Executive Orders</b>	
<b>Office of the Governor</b>	
Executive Order #05-14: Designating the Governor's	
Special Advisor on Faith and Community Service	
Initiatives and Creating the Governor's Council on	
Faith and Community Service Initiatives.....	400
<b>Revenue Notices</b>	
<b>Department of Revenue</b>	
Revenue Notice 2005-10: Corporate Franchise Tax -	
Revocation of Revenue Notice # 1994-17.....	401
<b>Official Notices</b>	
<b>Human Services Department</b>	
Authorization List of All Drugs That Have Been Added	
Requiring Authorization as a Condition of Minnesota	
Health Care Programs (MHCP) Payment.....	402
Health Care Purchasing and Delivery Systems Division,	
Health Care Administration: Maximum Allowable Costs	
of Medical Assistance Outpatient Prescribed Drugs.....	402
<b>Labor and Industry Department</b>	
Labor Standards Unit: Notice of Prevailing Wage	
Determinations for Highway/Heavy Projects in	
Each of 10 Regions Statewide.....	403
<b>Ombudsman for Mental Health and Mental</b>	
<b>Retardation Office</b>	
Advisory Committee Meeting.....	403
<b>Pollution Control Agency</b>	
Public Notice and Notice of Public Information Meeting.....	403
<b>State Rehabilitation Council</b>	
Applications Sought for Appointments.....	404
<b>Teachers Retirement Association</b>	
Meeting Notice.....	405
<b>State Contracts</b>	
<b>Administration Department</b>	
Intent to Obtain Bids for Flood Damage at the	
Centennial Office Building.....	405
Why Use the State Register ?.....	405
<b>Colleges and Universities, Minnesota State (MnSCU)</b>	
Dakota County Technical College: Request for Proposals	
for Owners Representative Services for Information	
Technology and Telecommunications Renovation.....	405
Lake Superior College: Sealed Bids Sought for Academic	
and Student Services Addition.....	406
St. Cloud State University: Sealed Proposals Sought for	
Professional/Technical Services Executive Search Firm.....	407
Request for Proposal for Centers of Excellence Program	
Evaluation.....	407
<b>Education Department</b>	
Request for Proposals for the Minnesota Comprehensive	
Assessments – Series II: Standard Setting and Support.....	408
Request for Proposals to Provide Professional Development	
to Early Childhood Practitioners.....	408
<b>Public Safety Department</b>	
ARMER/911 Program: Request for Proposals (RFP)	
for Local Enhancement Study for the Statewide Public	
Safety Radio and Communication Plan.....	409
<b>Transportation Department (Mn/DOT)</b>	
Potential Availability of Contracting Opportunities for a	
Variety of Highway Related Technical Activities	
(the "Consultant Pre-Qualification Program").....	409
Professional/Technical Contract Opportunities.....	410
Request for Proposal (RFP), Research Services Academic	
Research Program.....	410
<b>Non-State Contracts &amp; Grants</b>	
<b>Elderberry Institute</b>	
Notice of Request for Proposals to Fund Living	
at Home/Block Nurse Programs.....	411
<b>Metropolitan Council</b>	
Request for Proposals (RFP) - Master Contracts	
for Metro Transit in Six Specialty Areas.....	411
Request for Proposals (RFP) for Purchasing Card	
Program Services.....	412
Request for Proposals (RFP) for Regional	
Assessment of Water Supply Systems.....	412
<b>Northstar Corridor Development Authority</b>	
Request for Proposals for Real Estate Appraiser Services.....	413
<b>Solid Waste Management Coordinating Board</b>	
Request for Qualifications for Public Information Consultant...	413
<b>University of Minnesota</b>	
Subscribe to Bid Information Service (BIS).....	413

# 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.

## Rules Index, Volume 30, Issues #14-16

Monday 3 October - Monday 17 October, 2005

### Agriculture Department

1650.0021; .0031; .0046; .0056; .0066; .0511; .0601; .0611; .0661; **1651.0021.0031**; .0041; .0061; .0071; .0081; **1653.0021**; .0031; .0071; .0081; .0091; **1655.0021**; .0031; .0061; .0071; .0081; **1656.0011**; .0021; .0031; .0051; .0061; .0071; .0095; .0100 (**adopted**)..... 372  
**1650.0021 s. 6**; .0031 s. 2, 3; **1653.0031 s. 3**; **1655.0041**; **1656.0021 s. 18**; .0091 (**repealed**)..... 372

### Behavioral Health and Therapy Board

**2150.7500**; .7505; .7510; .7515; .7520; .7525; .7530; .7535; .7540; .7545; .7550; .7555; .7560; .7565; .7570; .7575; .7580; .7585; .7590; .7595; .7600; .7605; .7610 (**proposed**)..... 345

### Chiropractic Examiners Board

**2500.0710 (adopted)**..... 393  
**2500.0800 (adopted)**..... 393  
**2500.1550 (adopted)**..... 394

### Commerce Department - Weights & Measures

**2890.1000**; .2000; .4400 (**proposed expedited**)..... 394  
**7601.0100**; .1000; .1010; .1020; .2000; .3000; .3010; .3015; .3020; .3030; .4010; .8000; .9000; .9010; .9020; .9030; .9040; .9050 (**proposed**)..... 346

### Employee Relations Department

**3900.0100**; .0400; .2100; .3100; .3200; .3400; .3401; .4200; .4300; .4400; .4500; .4700; .5100; .5200; .5300; .6650; .6700; .7500; .8100; .8200; .8300; .8400; .8500 (**proposed**)..... 365, 393  
**3900.0400 s. 6, 12a, 13**; .4600; .6200 (**proposed repealer**)..... 365, 393

### Natural Resources Department (DNR)

**6232.2500 (adopted expedited emergency)**..... 399  
**6232.0300**; **6262.0100**; .0200; **6266.0500 (adopted exempt)**..... 396

Commodity, Service and Construction Contracts information is available from the Materials Management Helpline (651) 296-2600, or Web site:

[www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

Information or subscriptions to the *State Register* is available through Minnesota's Bookstore (651) 297-3000, or (800) 657-3757, Web site:

[www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)

## Proposed Rules

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

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed.

The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

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

**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 Employee Relations

### **Correction: Proposed Permanent Rules Relating to State Employment; Personnel NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING on Proposed Amendments to Rules Governing Personnel, *Minnesota Rules*, 3100**

The rules referenced in the above notice should be listed as 3900, not 3100. The remainder of the Notice and the revised rules are correct as published in the October 10, 2005 *State Register*.

## 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 Chiropractic Examiners

### **Adopted Permanent Rules Relating to Alternative Formats for Continuing Education**

The rules proposed and published at *State Register*, Volume 29, Number 50, pages 1523-1524, June 13, 2005 (29 SR 1523), are adopted as proposed.

## Board of Chiropractic Examiners

### **Adopted Permanent Rules Relating to Continuing Education for Examiners**

The rules proposed and published at *State Register*, Volume 29, Number 52, pages 1603-1604, June 27, 2005 (29 SR 1603), are adopted as proposed.



# Adopted Rules

## Board of Chiropractic Examiners

### Adopted Permanent Rules Relating to License Transfer

The rules proposed and published at *State Register*, Volume 29, Number 50, pages 1525-1526, June 13, 2005 (29 SR 1525), 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 General Restrictions on Taking Deer and Fish

**ORDER ADOPTING RULES: In the Matter of the Adoption of the Rules of the State of Minnesota, Department of Natural Resources, Relating to General Restrictions on Taking Deer and Fish; *Minnesota Rules*, parts 6232.0300, 6262.0100, 6262.0200, and 6266.0500**

#### WHEREAS,

*Laws of Minnesota 2005*, First Special Session, Chapter 1, Article 2, Section 153, directs the commissioner of natural resources to amend *Minnesota Rules*, part 6232.0300, subpart 7, regarding the use of an all-terrain vehicle on privately-owned land, and authorizes the use of the good cause exemption process under *Minnesota Statutes*, sec. 14.388, subd. 1, clause (3) to amend the rules to make such changes.

*Laws of Minnesota 2005*, Chapter 146, Secs. 44 and 46 amend *Minnesota Statutes*, secs. 97C.327 and 97C.395 regarding the measurement of fish length and the dates for taking certain species, and *Laws of Minnesota 2005*, Chapter 146, Sec. 51 authorizes the use of the good cause exemption process under *Minnesota Statutes*, sec. 14.388, subd. 1, clause (3) to amend the rules to conform to such changes.

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 rules for taking deer and fish. Pursuant to *Minnesota Statutes*, section 14.388, subd. 1, clause (3), the amendments to the permit fees incorporate specific language set forth in *Laws of Minnesota 2005*, Chapter 146, Sections 44 and 46 and *Laws of Minnesota 2005*, First Special Session, Chapter 1, Art. 2, Sec. 153, with no interpretation of law required.

**NOW THEREFORE, IT IS ORDERED**, that the rules identified as: Rules of the Department of Natural Resources relating to general restrictions on taking deer and fish, in the form set out in the Revisor's draft, file number RD3584, dated August 24, 2005, are adopted this 29th day of August, 2005, pursuant to the authority vested in me by *Laws of Minnesota 2005*, Chapter 146, Section 51 and *Laws of Minnesota 2005*, First Special Session, Chapter 1, Art. 2, Sec. 153.

Gene Merriam  
Commissioner of Natural Resources

## 6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

[For text of subs 1 to 6, see M.R.]

### Subp. 7. All-terrain vehicle or snowmobile use by licensed hunters.

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

C. For purposes of this chapter, all-terrain vehicles are vehicles, including trail bikes, three-wheelers, four-wheelers, tracked vehicles, or other manufactured or homemade vehicles, not licensed for highway use. Motor vehicles licensed for and being lawfully operated on a public road or highway, or farm tractors being used for agricultural purposes, are exempt from this subpart. This subpart applies to all lands and waters regardless of ownership except as provided in item B, and except that:

(1) a person using ~~an all-terrain vehicle or a snowmobile~~ in pursuing an occupation on the person's own land and not in possession of a firearm is exempt; and

(2) a landowner, an employee of the landowner, or an immediate family member of the landowner using an all-terrain vehicle in pursuing an occupation on the landowner's land and not in possession of a firearm is exempt.

A permit to operate these vehicles during the restricted hours may be issued by a conservation officer in the event of an emergency or other unusual conditions. Legal use of snowmobiles during the open deer season is governed by part 6100.5100.

[For text of subs 8 and 9, see M.R.]

## 6262.0100 GENERAL RESTRICTIONS ON TAKING FISH.

[For text of subs 1 to 4, see M.R.]

### Subp. 5. Possession of fish while on state waters.

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

D. ~~Length of a fish is determined by measuring from the tip of the nose to the tip of the tail when fully extended.~~ While on or fishing in state waters with size restrictions that differ from statewide regulations, including experimental waters, special management waters, boundary waters, or any other waters with size restrictions, all fish for which the different size restrictions apply must be undressed and measurable when in a person's possession, regardless of where taken, except when a watercraft is docked or moored to shore and a person is in the act of preparing and using the fish for a meal.

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

## 6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. **General inland fishing regulations.** Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish. When the closing date of a season falls on a Saturday, the season will extend through the following Sunday.

Species and Open Season

Daily and Possession  
Limits

A. Largemouth and smallmouth bass.

6 in aggregate.

(1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis County.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the ~~third~~ last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release

# Exempt Rules

---

only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

(2) In all other waters.

Saturday of Memorial Day weekend to the ~~third~~ last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

[For text of items B to F, see M.R.]

G. Walleye and sauger. 6 in aggregate.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the ~~third~~ last Sunday in February.

H. Northern pike. 3

Saturday two weeks prior to the Saturday of Memorial Day weekend to the ~~third~~ last Sunday in February.

The limit also applies to the taking by dark house spearing.

I. Muskellunge (including muskellunge-northern pike hybrid). 1. The minimum size limit will be 40 inches in length, except on Shoepac Lake, St. Louis County, where a 30-inch minimum size limit will apply.

The first Saturday in June to the ~~third~~ last Sunday in February.

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

[For text of subp 2, see M.R.]



## 6266.0500 TAKING OF FISH ON MINNESOTA-WISCONSIN BOUNDARY WATERS.

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

Subp. 2. **Definitions.** The terms used in parts 6266.0500 and 6266.0600 have the following meanings.

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

C. “Minimum length” means the length of a fish measured in a straight line from the tip of the nose or jaw, whichever is longer, to the ~~end~~ farthest tip of the tail fin when fully extended. When measuring turtles, it means the length of the dorsal surface of the carapace (top shell) measured from side to side across the shell at midpoint.

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

[For text of subs 3 to 10, see M.R.]

## Expedited Rules

This section applies when a law requiring or authorizing rules to be adopted states that this section (*Minnesota Statutes* 14.389) must or may be used to adopt the rules. When a law refers to this section, the process in this section is the only process an agency must follow for its rules to have the force and effect of law.

Agencies must publish notice of the proposed rule in the *State Register* and must mail the notice to persons who have registered with the agency to receive mailed notices. The notice must include the proposed rule or the amended rule as required by the Revisor of Statutes (section 14.07), an easily readable and understandable summary of the nature and effect of the proposed rule, and a citation to the most specific statutory authority for the rule. The agency must allow 30 days after publication for comment on the rule.

Before publication of the final rule in the *State Register*, the agency shall submit the rule to an administrative law judge who has 14 days to approve or disapprove the rule.

If the law, authorizing or requiring the rule be adopted under this section, contains a specific reference to this subdivision, as opposed to a general reference, the notice must include a statement of a public hearing if 100 or more people request a hearing.

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

## Minnesota Department of Commerce

### Petroleum Tank Release Compensation Board

### Proposed Expedited Permanent Rules Relating to Consultant Services

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

### Proposed Expedited Permanent Rules Relating to Consultant Services, *Minnesota Rules*, Chapter 2890

**Introduction.** The Petroleum Tank Release Compensation Board intends to adopt rules under the expedited rulemaking process set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until November 16, 2005.

**Agency Contact Person.** Comments or questions on the rules must be submitted to: James Pearson at Minnesota Department of Commerce, 85 – 7th Place East, Suite 500, St. Paul, MN 55101, (651) 296-2843, **Fax:** (651) 296-0201, and [james.pearson@state.mn.us](mailto:james.pearson@state.mn.us). **TTY** users may call the Department of Commerce at (651) 296-2860.

**Subject of the Expedited Rules and Statutory Authority.** The proposed expedited rules are about the competitive bidding requirements for consultant services proposals and the written proposal and invoice requirements for consultant services. The statutory authority to adopt the rules is *Minnesota Statutes*, section 115C.07, subd. 3 (c). The statutory authority to adopt the rules under the expedited rulemaking process is *Minnesota Statutes*, section 115C.07, subd. 3 (d) and (e). 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, November 16, 2005, to submit written comment in support of or in opposition to the proposed expedited 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 expedited 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

# Expedited Rules

---

of the proposed rules must also be made during this comment period.

**Modifications.** The agency may modify the proposed expedited rules if the modifications do not make the rules substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c), unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*. If the proposed expedited rules affect you in any way, you are encouraged to participate in the rulemaking process.

**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.

**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 Expedited Rules.** The agency may adopt the rules at 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.

Signed on October 4, 2005

Executive Director James Pearson

## **2890.1000 WRITTEN PROPOSAL AND ~~INVOICE COST SUMMARY~~ REQUIREMENTS FOR CONSULTANT SERVICES.**

[For text of subs 1 to 5, see M.R.]

Subp. 6. **Invoice Cost summary.** Costs incurred for consultant services that are not ~~billed to the applicant~~ summarized on an ~~invoice~~ a form prescribed by the board are prima facie unreasonable. The ~~invoice cost summary~~ form prescribed by the board must be according to parts 2890.1000 to 2890.2200.

## **2890.2000 COMPETITIVE BIDDING REQUIREMENTS FOR CONSULTANT SERVICES PROPOSALS.**

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

Subp. 4. **Limited site investigation or full remedial investigation.** The applicant must get at least two written competitive proposals for services for a limited site investigation or full remedial investigation according to parts 2890.1000 to 2890.2200. The proposals must be on a form prescribed by the board according to parts 2890.1000 to 2890.2200. The proposals must comply with the requirements of parts 2890.1000 to 2890.2200. Costs for the following contractor services may be included in a proposal for the limited site investigation or full remedial investigation step of services: air sample analysis; drilling; groundwater sample analysis; and soil sample analysis.

A. Standard scope: unless the applicant knows, determines, or reasonably suspects that an investigation conducted according to the following assumptions and scope of work would not meet its intended purpose, limited site investigation costs must be bid based on the following standard assumptions and scope of work:

(1) Assumptions:

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

(e) water and soil gas samples will be collected immediately after completion of the borings;

[For text of units (f) to (h), see M.R.]

(2) Scope of work:

[For text of units (a) and (b), see M.R.]

(c) advance push probes in accordance with agency guidance by installing five push probes to ten feet below grade, four push probes to 25 feet below grade, and one push probe to 40 feet below grade;

(d) collect necessary soil ~~and~~, groundwater, and soil gas samples in accordance with agency guidance; and

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

B. Nonstandard scope: when the applicant knows or reasonably suspects that an investigation conducted according to the standard assumptions in item A would not meet its intended purpose, the applicant must get a minimum of two written competitive proposals for a limited site investigation or full remedial investigation based on identical assumptions about the characteristics of the site. The proposals must specifically state the assumptions of the proposal concerning:

[For text of subitems (1) to (12), see M.R.]

(13) number of soil gas samples to be collected;

(14) number and type of analytes for which soil gas samples will be analyzed;

(15) number of rounds of groundwater sampling to be conducted; and

(14) (16) type of investigation report to be submitted to the agency.

[For text of subs 5 to 8, see M.R.]

## 2890.4400 APPLICATION PROCESS.

Subpart 1. **Applications.** An applicant must complete, sign, and submit to the board a written application. The application must be made on a form prescribed by the board and must contain at least the following:

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

F. a copy of all cost summaries and invoices as required by parts 2890.1000 and 2890.4300; and

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

[For text of subs 2 to 6, see M.R.]

## Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**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 Expedited Emergency Game and Fish Rules: Disabled Hunts

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.111 and 97B.311.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population data needed to establish quotas and classify permit areas are not available until June.

Dated: October 4, 2005

**Signed:** Gene Merriam, Commissioner  
Department of Natural Resources

## 6232.2500 DISABLED HUNT.

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet. In 2005, the following areas are open for hunting by disabled hunters:

[For text of items A to F, see 30 SR 163]

G. The Thomas and Joanne Lenneman property located in Section 13 of T35N, R31W, Sherburne County within the St. Cloud Game Refuge is open October 22 and October 23 for taking antlerless deer or legal bucks using legal firearms. Up to two bonus permits may be used and the bag limit is three deer. The National Wild Turkey Federation's wheelin' sportsmen program and Capable Partners are the sponsoring nonprofit organizations.

**EFFECTIVE DATE.** The expedited emergency amendment to *Minnesota Rules*, part 6232.2500, expires

# Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Executive Order #05-14: Designating the Governor's Special Advisor on Faith and Community Service Initiatives and Creating the Governor's Council on Faith and Community Service Initiatives

**I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this executive order:

**WHEREAS**, Minnesota state agencies administer numerous programs that provide services or resources to assist Minnesotans in need; and

**WHEREAS**, the State also benefits from a wealth of faith and community service organizations that provide services to Minnesota families, children and communities including programs providing care for the elderly, addressing homelessness, providing educational and recreational opportunities for children and persons with disabilities, providing vocational opportunities for persons in need, and other services aimed at curbing crime, improving education and overcoming joblessness and poverty; and

**WHEREAS**, committed volunteers in faith and community service organizations bring unique skills, services and resources to bear in assisting Minnesotans; and

**WHEREAS**, services between faith and community organizations and government agencies could be more effectively coordinated; and

**WHEREAS**, it is beneficial to encourage communication between governmental entities and faith and community organizations, recognizing the sharing of information about and encouraging the efficient and effective use of resources; and

**WHEREAS**, encouraging strong development of programs and services within faith and community service organizations fosters coordination, innovation and diversity among the service and program options available to Minnesotans which results in better outcomes for Minnesotans in need of assistance and services; and

**WHEREAS**, it is in the State of Minnesota's best interest to ensure that faith and community service organizations are strong, coordinated, and effective in accessing information about private and public funding options, developing programs and providing services to Minnesotans; and

**NOW, THEREFORE**, I hereby order the creation, within the Governor's Office, of a Special Advisor on Faith and Community Services and the establishment of the Governor's Council on Faith and Community Services.

1. The Governor's Special Advisor on Faith and Community Services ("Special Advisor") responsibilities include, but are not limited to:

a. Provide opportunities or forums for communication between faith and community organizations and with governmental service providers to provide information about program and service opportunities, improve understanding of the state's service objectives, the identification of opportunities to coordinate programs or services to assist the state in meeting its objectives and providing opportunities for developing strategies for the most efficient and effective use of resources; and

b. Build and expand service opportunities through technical assistance, education and information to faith and community organizations, including creation of a resource guide, program directory, educational and networking opportunities; and

c. Develop informational resources that identify service opportunities for faith and community service organizations to coordinate services with state and local programs.

d. Serve as the Governor's liaison to the Governor's Council on Faith and Community Services.

2. The Governor's Council on Faith and Community Services is created to provide advice and recommendations to the Governor on matters relating to the development, promotion and support of effective and efficient faith and community organizations which provide services to Minnesotans in need; and

---

---

## Executive Orders

3. The Council will be comprised of 15 members appointed by the Governor. Appointees may include, but are not be limited to, representatives from faith and community organizations, foundations, corporations and public entities. The Governor will designate a chair from the members and will fill any vacancies on the Council.

4. Council members will serve a two year term. Council members will serve on a voluntary basis and are not eligible for payment of expenses.

5. The Council's responsibilities include providing advice to the Governor on matters relating to faith and community services including, but not limited to:

a. Priorities in relation to educational and training opportunities to assist faith and community organizations to understand the processes and requirements related to accessing public and private funding opportunities; and

b. Opportunities for coordination among faith and community service organizations and state and local service programs; and

c. How faith and community organizations can fairly compete with other organizations for access to federal and state funding opportunities and recommendations for overcoming barriers to fair competition; and

d. Ways to encourage greater corporate and philanthropic support for faith and community service organizations through public education and outreach opportunities; and

e. Identify and promote best practices relating to the delivery of services by faith and community organizations.

6. The Special Advisor and the Council may not engage in any activity that is prohibited by the First Amendment of the United States Constitution or Article 1, Section 16 of the Minnesota Constitution or other applicable state or federal laws.

Pursuant to *Minnesota Statutes* 2004, section 4.035, subdivision 2, this Executive Order will be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and will remain in effect in accordance with *Minnesota Statutes* 2004, section 4.035, subdivision 3.

Signed: **TIM PAWLENTY**  
**Governor**

Filed According to Law:

Signed: **MARY KIFFMEYER**  
**Secretary of State**

## Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270.0604.

## Department of Revenue

### Revenue Notice 2005-10: Corporate Franchise Tax - Revocation of Revenue Notice # 1994-17

Revenue Notice # 1994-17 sets forth the Department of Revenue's interpretation of *Minnesota Statutes*, section 290.01, subdivision 6(b), the definition of a foreign operating corporation. This definition was amended in the 2005 Special Session requiring a foreign operating corporation to have \$1,000,000 of payroll and \$2,000,000 of property outside of the United States (*2005 Minnesota Laws, 1<sup>st</sup> Special Session, Chapter 3, Article 3, Section 5*). Because of this amendment to the statute, Revenue Notice # 1994-17 is revoked.

Publication Date: October 17, 2005

John H. Mansun, Assistant Commissioner  
for Tax Policy and External Relations

## Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Department of 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 November 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.
- H. The health service could be considered cosmetic.

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

#### DRUGS

##### Added Drugs

Renagel  
FosRenol  
Growth Hormone

## 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 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



---

---

## Official Notices

(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), February 7, 2005 (29 SR 923-924), February 14, 2005 (29 SR 951-952), March 7, 2005 (29 SR 1038-1039), April 11, 2005 (29 SR 1174-1175), June 27, 2005 (29 SR 1607), July 18, 2005 (30 SR 49-50), August 15, 2005 (30 SR 147), and August 29, 2005 (30 SR 226-227).

Effective October 18, 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>
17573	BUPROPION HCL	200MG	\$2.097
37198	FEXOFENADINE HCL	30MG	\$0.62
46593	FEXOFENADINE HCL	60MG	\$1.17
46594	FEXOFENADINE HCL	180MG	\$2.07

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 \$423,000 for State Fiscal Year 2006 (July 1, 2005 through June 30, 2006).

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 Jarvis Jackson, R.Ph., Interim 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 or **e-mail:** [jarvis.jackson@state.mn.us](mailto:jarvis.jackson@state.mn.us).

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Prevailing Wage Determinations for Highway/Heavy Projects in Each of 10 Regions Statewide

On October 17, 2005, the commissioner determined and certified prevailing wage rates for Highway/Heavy construction projects in each of 10 regions statewide.

Copies 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 **website** at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.25 per page up to the first 100 pages and \$.65 per page after that. Make check or money order payable to the State of Minnesota.

M. Scott Brener, Commissioner

## Office of the Ombudsman for Mental Health and Mental Retardation

### Notice of Advisory Committee Meeting

The Ombudsman for MH/DD Advisory Committee will hold a meeting from 9:00a.m. to 1:00p.m. on Oct. 20, 2005. The meeting will be held in Suite 420 Metro Square Bldg., 121 7<sup>th</sup> Place E., St. Paul. Please RSVP to Paula at (651) 296-3848 or 800-657-3506.

## Minnesota Pollution Control Agency

### Public Notice and Notice of Public Information Meeting

**NOTICE IS HEREBY GIVEN**, that the Commissioner of the Minnesota Pollution Control Agency (MPCA) intends to submit to the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision request. This revision is intended to establish criteria differentiating mandatory public meetings held in conjunction with a SIP revision and discretionary public meetings, available upon request.

# Official Notices

---

Under Section 110(a) of the Clean Air Act (CAA), a public meeting is required to be held by the state for all SIPs and SIP revisions prior to their submittal to EPA. The MPCA expends significant resources in holding these public meetings. Notably, MPCA experience has shown that the majority of SIP revisions are minor or administrative in nature and, as such, have generated little or no public interest. Therefore, holding a public meeting is unnecessary for most minor or administrative SIP revision actions.

Federal regulations, 40 CFR 51.102(g)(2), provide for the use of alternate public participation procedures “if they . . . (1) Ensure public participation . . . and (2) Provide adequate public notification of the opportunity to participate.” The MPCA and EPA Region 5 have worked together to refine the public participation procedures, including defining mandatory public meetings and public meetings available upon request. The MPCA has drafted a SIP revision request consistent with the MPCA/EPA work. A copy of the proposed SIP revision will be available for inspection at the MPCA offices in St. Paul at 520 Lafayette Road North, Third Floor, Environmental Assessment and Outcomes Division, telephone (651) 296-7774, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

The public comment period commences October 17, 2005, and terminates November 28, 2005. Comments must be received, in writing, at the MPCA by 4:30 p.m. on November 28, 2005. Evidence of timely receipt includes a date/time stamp imprinted on the first page of the written comments by the first floor information and reception area of the MPCA or by the Environmental Analysis and Outcomes Division support staff, or receipt by fax.

The MPCA will hold a public information meeting to provide information, receive public input and answer questions about the draft SIP revision. This meeting will be held from 3:30 p.m. to 5:00 p.m. on November 17, 2005, at the MPCA’s St. Paul office at 520 Lafayette Road, St. Paul, Minnesota.

You have the right to submit a petition to the MPCA Commissioner asking that the MPCA Citizens’ Board make the decision on submitting the proposed SIP revision to the EPA. Your petition must be in writing, and must be received by the MPCA contact person listed below during the public comment period. Whether the petition will be granted or denied is in the sole discretion of the MPCA Commissioner. The MPCA Citizens’ Board will only make the decision on the proposed SIP revision if the MPCA Commissioner grants your petition or if a MPCA Citizens’ Board member makes a timely request to have the decision made by the MPCA Citizens’ Board.

Comments, requests and petitions should be mailed to:

Stuart Arkley  
Environmental Assessment and Outcomes Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194  
**Phone:** (651)296-7774  
**Fax:** (651)297-8676  
**E-Mail:** [stuart.arkley@pca.state.mn.us](mailto:stuart.arkley@pca.state.mn.us)

Dated: October 5, 2005

Sheryl A. Corrigan, Commissioner  
Minnesota Pollution Control Agency

## Minnesota State Rehabilitation Council Applications Sought for Appointments

The Minnesota State Rehabilitation Council has an immediate opening for representatives from business, industry or labor. In January of 2006, it will have openings for a representative from the Department of Education; an additional representative from business, industry or labor; an applicant or recipient of Vocational Rehabilitation services; and a disability advocate. The disability advocate may have a disability or represent individuals who have difficulty or are unable to represent themselves.

The State Rehabilitation Council advises the state on employment services for persons with disabilities, participates in the assessment of the state’s Vocational Rehabilitation program, and jointly with Rehabilitation Services develops and reviews annually the VR program goals and priorities. Members are appointed by the Governor. The Council meets approximately 10 times annually, typically on the fourth Wednesday of the month. A minimum of one meeting per year will be held in Greater Minnesota. Appointments are made to ensure representation of persons with disabilities and Vocational Rehabilitation Program consumers. For more information, contact Gail Lundeen, State Rehabilitation Council, Rehabilitation Services, 390 North Robert Street, Saint Paul, Minnesota 55101, (651) 296-5629, 800-328-9095, TTY 800-657-3973; (651) 296-3900; or **e-mail** her at [gail.lundeen@state.mn.us](mailto:gail.lundeen@state.mn.us).

## Teachers Retirement Association

### Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, November 2, 2005 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board.

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

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

Commodity, Service and Construction Contracts information is available from the Materials Management Helpline (651) 296-2600, or Web site: [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

Information or subscriptions to the *State Register* is available through Minnesota's Bookstore (651) 297-3000, or (800) 657-3757, Web site: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)

## Department of Administration

### Notice of Intent to Obtain Bids for Flood Damage at the Centennial Office Building

The state intends to obtain bids in the near future for flood damage at the Centennial Office Building at 658 Cedar Street in St. Paul. Repairs will include drywall, wallpaper, painting, carpet and other trades common to water damage losses. The agency contact is Gordy Specht, (651) 201-2328, **Fax:** (651) 297-5158, **E-mail:** [gordy.specht@state.mn.us](mailto:gordy.specht@state.mn.us).

## Department of Administration

### Why Use the *State Register* ?

The *State Register* helps you with state government business -- over \$1 billion a year. A subscription brings you information about contracts, grants, rules, governor's orders, revenue notices and more.

- **Index to Vol. 30, with LINKS**
- **Contracts & Grants section, with LINKS**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**

You receive a growing index to the current Volume 30 so you keep up-to-date on everything in the volume. You receive a list of contracts and grants open for bid. Everything includes LINKS (including the index) that will get you to the information you want with the ease of the click of your mouse. It's all E-mailed to you, on Friday, instead of waiting for an issue to be posted on Monday. A subscription costs \$180 per year. To subscribe, contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or **Fax:** (651) 297-8260, or **E-mail:** [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us)

## Colleges and Universities, Minnesota State (MnSCU)

### Dakota County Technical College

### Request for Proposals for Owners Representative Services for Information Technology and Telecommunications Renovation

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College is requesting proposals for owners representative services for the information technology and telecommunications renovation project at our main campus in Rosemount.

Copies of the request for proposal are available by calling Lynda Mcpherson at (651) 423-8407. Completed proposals must be received by 1:00 p.m. on Monday, October 31, 2005.

Dakota County Technical College reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in bids received.

# State Contracts

---

## Colleges and Universities, Minnesota State (MnSCU)

### Lake Superior College

#### Sealed Bids Sought for Academic & Student Services Addition

**Sealed Bids for:** **Academic & Student Services Addition**  
Lake Superior College  
Duluth, MN 55811

**will be received by:** **Gary Adams, Director of Physical Plant**  
Lake Superior College  
2101 Trinity Road  
**Duluth, MN 55811**

**Until:** **2:00 PM, Tuesday, October 25, 2005** at which time the bids will be opened and publicly read aloud.

**Project Scope:** **Addition of a 45,000 SF, 2-story cast-in-place building with masonry exterior.**  
**Interior remodel consisting of 7,000 SF on the main level of the campus.**

A pre-bid meeting will be held at **3:00 PM, Tuesday, October 18, 2005**, in **Room E2048 at Lake Superior College**. The Architect/Engineer and Owner Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Architect/Engineer, **LHB** are on file at the offices of the:

1.) above named Project Architect/Engineer.

2.) following Builders Exchanges:

Duluth Builders Exchange  
802 Garfield Avenue  
Duluth, MN 55802

Minneapolis Builder's Exchange  
1123 Glenwood Avenue  
Minneapolis, MN 55405

St. Paul Builder's Exchange  
445 Farrington Street  
St. Paul, MN 55103

St. Cloud Builder's Exchange  
110 – 6<sup>th</sup> Avenue South  
St. Cloud, MN 56301-3621

Mid-Minnesota Builder's Exchange  
2104 East Highway 12  
Willmar, MN 56201

3.) McGraw Hill Construction/Dodge Plan Center  
4530 West 77<sup>th</sup> Street, Suite 350  
Edina MN 55435

5.) NAMC (National Association of Minority Contractors of Upper Midwest)  
2781 Freeway Boulevard, #100  
Brooklyn Center, MN 55430

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

**LHB**  
21 West Superior Street, Suite 500  
Duluth MN 55802  
(218) 727-8446

A deposit of **\$250** is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable

payment (check made out to the Architect) for \$25 per set for shipping & handling (in addition to the deposit to the Architect). Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

## Colleges and Universities, Minnesota State (MnSCU)

### St. Cloud State University

#### Sealed Proposals Sought for Professional/Technical Services Executive Search Firm

Sealed proposals for services hereinafter described will be received by St. Cloud State University at the Business Services Office, AS 122, St. Cloud Minnesota until **3:00 PM** on **November 4, 2005** and will be publicly opened and read aloud. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for **Professional/Technical Services Executive Search Firm** as per Request for Proposal available in the Business Services Office, St. Cloud State University.

For further information contact:

Lisa Sparks  
Director of Purchasing  
St. Cloud State University – AS 122  
720 4<sup>th</sup> Ave. South  
St. Cloud, MN 56301-4498  
(320) 308-4788 or Doris Frieler at (320) 308-4001

## Colleges and Universities, Minnesota State (MnSCU)

### Request for Proposal for Centers of Excellence Program Evaluation

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to select an entity to provide program evaluation services for the Minnesota State Colleges and Universities system and yet-to-be named Centers of Excellence at state colleges and universities located throughout Minnesota.

The Centers of Excellence initiative emanates from legislation enacted during the 2005 Minnesota Legislature (Minnesota Statutes, 136F.31). A process and criteria for selecting up to four Centers of Excellence has been developed and the awards will be announced by the system's Board of Trustees on October 19. Each center must include at least one state university and one two-year state college. The lead institution for each Center of Excellence will be a state university which could include one of the following: Bemidji State University; Metropolitan State University; Minnesota State University, Mankato; Minnesota State University, Moorhead; St. Cloud State University; Southwest Minnesota State University; or Winona State University. The fiscal agent for this contract will be the Minnesota State Colleges and Universities, Office of the Chancellor. The evaluator would be responsible for providing leadership, technical assistance and professional expertise in working with institutions and the Office of the Chancellor in a participatory process to design and carry out an evaluation plan. This will include the development, implementation and measurement of performance criteria as articulated in the enacting legislation and as stated in the individual proposals submitted by the university-college partnerships.

A potential evaluator must provide evidence of successful experience working with non-profit organizations and/or educational institutions. Specific experience in program evaluation at colleges and universities is desired. For additional information or to request a copy of the Request for Proposal, please contact:

Nancy Bunnett, Interim System Director for Planning  
Minnesota State Colleges and Universities  
30 7<sup>th</sup> Street East, Suite 350  
St. Paul, MN 55101-7804  
**Telephone:** (651) 296-8928  
**Fax:** (651) 297-1814  
**E-mail:** [nancy.bunnett@so.mnscu.edu](mailto:nancy.bunnett@so.mnscu.edu)

# State Contracts

---

Proposals are due at the Office of the Chancellor by 5:00 p.m. Central Time on Monday, November 14, 2005.

This notice and the Request for Proposal do not obligate the State of Minnesota,

Minnesota State Colleges and Universities or its schools, or its Office of the Chancellor to award a contract; and each college, university and/or the Office of the Chancellor reserves its right to withdraw from the RFP if it is considered to be in its best interest.

## Department of Education Notice of Request for Proposals for the Minnesota Comprehensive Assessments – Series II: Standard Setting and Support

The Department of Education is soliciting proposals from qualified vendors to design, develop, conduct, and document work associated with setting performance standards for the 2006 MCA-II tests (grades 3-8, reading and math; grade 10, reading; grade 11, math).

The Department has estimated the cost of this project should not exceed \$1,000,000.00.

The anticipated project period is December 19, 2005 to October 30, 2006. For a copy of the complete Request for Proposal, please contact:

Mary Jo Swanson  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, Minnesota 55113-4567  
**Phone:** (651) 634-2222  
**Fax:** (651) 582-8874  
**E-mail:** *Mary.jo.swanson@state.mn.us*

Proposals are due no later than 3:00 p.m. November 22, 2005. Late proposals will not be considered.

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

Dated: October 17, 2005

## Department of Education Notice of Request for Proposals to Provide Professional Development to Early Childhood Practitioners

The Department of Education (MDE) is soliciting proposals from qualified vendors to provide professional development services to early childhood practitioners.

The Department of Education has estimated the cost of this project should not exceed \$15,000 for each year of the project.

The first anticipated project period is December 19, 2005 through June 30, 2006. MDE reserves the right to issue separate annual contracts to the successful responder for a total of five years based on satisfactory performance and continued availability of funding for this purpose.

For a complete copy of the Request for Proposals, please contact Lisa Boemer, Department of Education, 1500 Highway 36 West, Roseville, Minnesota 555113. **Telephone:** (651) 582-8510, **Fax:** (651) 582-8494, **E-mail:** *lisa.boemer@state.mn.us*.

Responses are due by 3:00 P.M. Central Time on November 7, 2005. **Late proposals will NOT be considered.** Fax or E-Mail proposals will **NOT** be considered.

This request does not obligate the State to award a contract or complete the work contemplated in this notice. The State reserves the right to cancel this solicitation if it considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.



## **Department of Public Safety**

### **ARMER/911 Program**

#### **Request for Proposals (RFP) for Local Enhancement Study for the Statewide Public Safety Radio and Communication Plan**

Professional/technical services are needed to provide the Department of Public Safety, ARMER/911 Program with a high level objective comprehensive assessment of local government enhancement needs and potential costs for the statewide public safety radio and communication system in 21 Minnesota counties for Phase Three of the Statewide Public Safety Radio and Communication System Implementation Plan. The study is to include the development of evaluation criteria for those local government enhancements, applying the criteria to the 21 counties, and providing a detailed written report to the Commissioner of Public Safety and the Statewide Radio Board.

The output from this contract will be a written project report, including a preliminary written report with the evaluation criteria and a final written report discussing the cost of local government enhancements to implement the criteria. The study will involve working with the Statewide Radio Board and other Allied Radio Matrix For Emergency Response (ARMER) stakeholders.

Anticipated contract start date is December 1, 2005 with a completion date of March 31, 2006. Details are contained in the complete RFP, which may be obtained by **e-mailing:** [ron.whitehead@state.mn.us](mailto:ron.whitehead@state.mn.us). All questions concerning this RFP should be **e-mailed** to [ron.whitehead@state.mn.us](mailto:ron.whitehead@state.mn.us), and should be received no later than 2:00 p.m. central daylight time on October 26, 2005. Answer to questions will be emailed to all entites requesting a complete RFP. Final date for submitting a proposal is 2:00 p.m. central standard time on November 7, 2005.

## **Department of Transportation (Mn/DOT)**

### **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 (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities

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

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

## Department of Transportation

### Engineering Services Division, Office of Technical Support

#### Request for Proposal (RFP), Research Services Academic Research Program

The Minnesota Department of Transportation is requesting proposals from colleges and universities for providing academic research on a wide variety of transportation-related topics. Contracts under this program will include research, implementation and technology transfer and education activities. The intent of this RFP is to establish a list of qualified academic institutions to address specific research issues identified by Mn/DOT requiring expertise not available within Mn/DOT.

Mn/DOT will offer Contracts for research services to multiple, qualified successful responders. These Contracts will provide a mechanism for obtaining transportation research in a convenient and timely manner.

Each successful respondent will be eligible to enter into a Master Contract with Mn/DOT defining the general terms and conditions under which the research services will be conducted. When one or several of the academic universities' areas of expertise are required for a particular research project, work will be assigned utilizing a Work Order Contract under the terms and conditions of the Master Contract.

While it is anticipated that each successful respondent will be offered a Master Contract, Mn/DOT retains the right, in its sole discretion, to estimate the volume of work to be performed by a specific institution and determine whether that volume of work justifies entering into a Master Contract. If Mn/DOT determines that the volume of work does not justify a Master Contract, the institution will be placed on an "eligible" list. Those institutions on the "eligible" list will still receive problem statements, but Contracts will be handled on ad-hoc basis, rather than using a Master Contract/Work Order Contract process. The Master Contracts resulting from this RFP will be non-exclusive. If Mn/DOT determines that its needs are better met outside of the Master Contract, Mn/DOT will not be prohibited from utilizing other contractual methods to obtain necessary services.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and Mn/DOT reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

The full RFP document can be downloaded from Mn/DOT's Consultant Services **Web Page** at <http://www.dot.state.mn.us/consult/> under the Professional Technical Notices Section.

**Note: PROPOSALS WILL BE DUE ON WEDNESDAY, NOVEMBER 30, 2005 BY 2:00 p.m. CENTRAL TIME. LATE PROPOSALS WILL NOT BE CONSIDERED.**

## 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.

## Elderberry Institute

### Notice of Request for Proposals to Fund Living at Home/Block Nurse Programs

Elderberry Institute is soliciting proposals from Living at Home/Block Nurse Programs (LAH/BNPs) in Minnesota as authorized in Minnesota Statutes 256B.0917 that provide care and support to elders at home. Eligible applicants are LAH/BNPs that have signed a Founder's Agreement with Elderberry Institute and are not currently receiving State of Minnesota Base Funds. Total funds available are \$20,000 and must be expended prior to June 30, 2005.

The full text of the RFP, which includes requirements for the content of the proposal, proposal evaluation criteria and other application information, is available on the Internet at [www.elderberry.org/breakingnews.asp](http://www.elderberry.org/breakingnews.asp), or upon request by contacting:

Tom Gossett, Associate Director  
 Elderberry Institute  
 475 Cleveland Ave. N.  
 Saint Paul, MN 55104  
**Telephone:** (651) 649-0315  
**E-mail:** [tgossett@elderberry.org](mailto:tgossett@elderberry.org)

## Metropolitan Council

### Notice of Request for Proposals (RFP) - Master Contracts for Metro Transit in Six Specialty Areas

#### RFP/Contract Numbers 05P098 through 05P103

The Metropolitan Council is soliciting proposals for its Metro Transit Division for Master Contracts in six specialty areas.

RFP/Contract Number	Specialty Area	Expected Number of Contracts	Maximum Expected Value of Each Contract \$
05P098	Real Estate Appraisal	2	\$ 75,000
05P099	Environmental Assessment and Investigations	3	\$100,000
05P100	Geotechnical Investigations	3	\$100,000
05P101	Surveying and Right-of-Way	2	\$ 50,000
05P102	Material Testing and Testing and Inspection	2	\$ 50,000
05P103	Traffic Studies and Traffic Engineering	2	\$100,000

Each contract is expected to have a term of three years. The contracts will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, deliverables, schedule of completion, specified cost for the services, and a designated Metro Transit Project Manager.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>October 17, 2005</b>
<i>Proposals Due Date</i>	<b>November 16, 2005</b>
<i>Selection of Firms</i>	<b>About December 1, 2005</b>
<i>Notice to Proceed</i>	<b>December 30, 2005</b>

All firms interested in providing any of these services should request a copy of the Request for Proposals (RFP) for that specialty and associated RFP/Contract Number. A firm can propose on any of the six specialty areas but a separate proposal is required for each area.

# Non-State Contracts & Grants

---

Send or fax requests to:

Harriet Simmons, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1138  
**E-mail:** *harriet.simmons@metc.state.mn.us*

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Purchasing Card Program Services Contract Number 05P095

The Metropolitan Council is requesting proposals for purchasing card program services including issuance of cards, transaction processing with administrative procedures and spending controls for small dollar and other purchases by Metropolitan Council employees via commercial purchasing cards.

<i>Issue Request for Proposals</i>	<b>October 11, 2005</b>
<i>Receive Proposals</i>	<b>November 8, 2005</b>
<i>Contract negotiated, executed, NTP</i>	<b>December, 2005</b>

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1068  
**Fax:** (651) 602-1138  
**E-mail:** *harriet.simmons@metc.state.mn.us*

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Regional Assessment of Water Supply Systems

#### Contract Number 05P097

The Metropolitan Council is requesting proposals for a regional assessment of water supply systems, water demand and availability, and management needs.

<i>Issue Request for Proposals</i>	<b>October 18, 2005</b>
<i>Receive Proposals</i>	<b>December 6, 2005</b>
<i>Contract negotiated, executed, NTP</i>	<b>January, 2006</b>
<i>Period of performance</i>	<b>January, 2006 to December, 2008</b>

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre

---

---

## Non-State Contracts & Grants

St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1083  
**E-mail:** *harriet.simmons@metc.state.mn.us*

### Northstar Corridor Development Authority Notice of Request for Proposals for Real Estate Appraiser Services

**NOTICE IS HEREBY GIVEN** that the Northstar Corridor Development Authority requests proposals to provide real estate appraisal services for the Northstar Commuter Rail Project, a 41-mile commuter rail line that follows Trunk Highway 10 between Minneapolis and Big Lake, Minnesota. The purpose of this work is to perform appraisals for properties that need to be acquired for the project. There are currently 21 properties representing 7 property owners that need to be acquired. The work will be performed between December 1, 2005 and December 31, 2006.

Anticipated project schedule is:

<i>Issue RFP</i>	<b>October 17, 2005</b>
<i>Pre-proposal Conference</i>	<b>October 28, 2005, 1:30 pm C.S.T.</b>
<i>Questions Due</i>	<b>November 2, 2005, 4:30 pm C.S.T.</b>
<i>Proposals Due</i>	<b>November 10, 2005, 4:30 pm C.S.T.</b>
<i>Interviews</i>	<b>November 17, 2005</b>
<i>Selection of Proposers</i>	<b>December 1, 2005</b>

All firms interested in receiving an RFP Package are invited to submit an e-mail or written request to:

Tim Yantos, Project Director  
Anoka County Administration  
2100 3<sup>rd</sup> Avenue  
Anoka, MN 55303  
**Phone:** (763) 323-5692  
**Fax:** (763) 323-5682  
**E-mail:** *Tim.yantos@co.anoka.mn.us*

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

### Solid Waste Management Coordinating Board Notice of Request for Qualifications for Public Information Consultant

The Solid Waste Management Coordinating Board is seeking proposals from public information consulting firms. The contractor will be responsible for evaluating the Green Guardian campaign and promoting waste reduction, recycling, toxicity reduction and proper waste disposal messages to SWMCB residents and businesses.

The Request for Qualifications can be downloaded at [www.swmcb.org](http://www.swmcb.org). The Request for Qualifications is also available by calling or writing Linda Gondringer, Solid Waste Management Coordinating Board, 477 Selby Avenue, St. Paul, Minnesota, 55102. Phone: (651) 222-7227. Email: [lgondringer@richardsonrichter.com](mailto:lgondringer@richardsonrichter.com).

Proposals must be received no later than 12:00 noon, Central Standard Time, Friday, November 11, 2005. The SWMCB reserves the right to reject late responses.

Complete specifications and details concerning submission requirements are included in the Request for Qualifications.

### University of Minnesota Subscribe to Bid Information Service (BIS)

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 free. Visit our website at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public 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.

