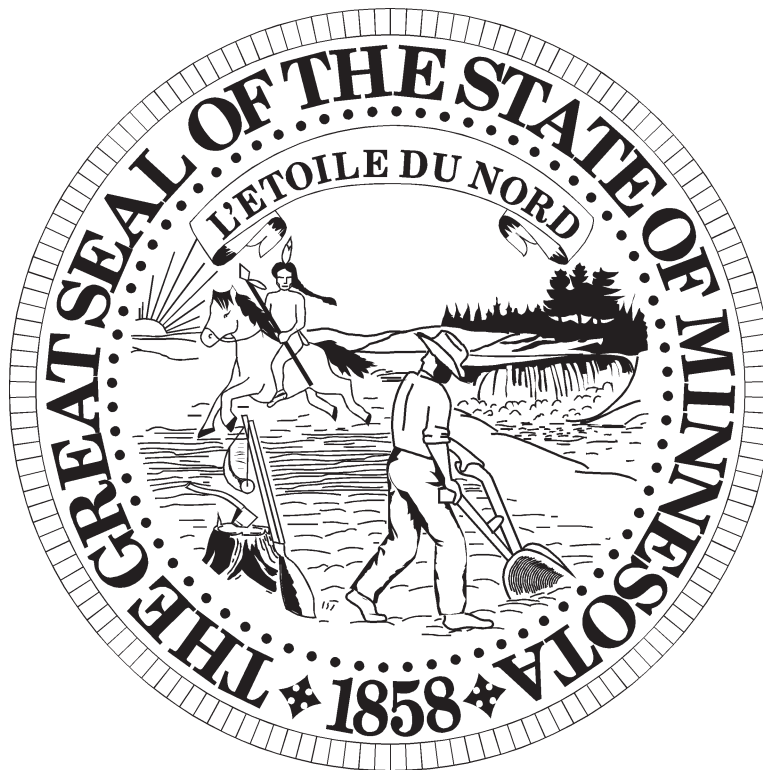


State of Minnesota

State Register



**Rules, Executive Orders, Appointments,
Commissioners' Orders, Revenue Notices, Official Notices, Grants,
State Contracts & Loans, Non-State Bids, Contracts & Grants**

Published every Monday (Tuesday when Monday is a holiday)

**Monday 1 December 2008
Volume 33, Number 22
Pages 965 - 994**

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:

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
- official notices

Printing Schedule and Submission Deadlines

| Vol. 33 Issue Number | PUBLISH DATE (BOLDFACE 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 Proposed, Adopted and Exempt RULES |
|----------------------------|---|---|---|
| # 22 | Monday 1 December | NOON MONDAY 25 NOVEMBER | Noon Wednesday 19 November |
| # 23 | Monday 8 December | Noon Tuesday 2 December | Noon Wednesday 26 November |
| # 24 | Monday 15 December | Noon Tuesday 9 December | Noon Wednesday 3 December |
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USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

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

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

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

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 Pollution Control Agency

Municipal Division

Proposed Permanent Rules Relating to Renovation and Demolition Solid Waste

Dual Notice: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More

Persons Request a Hearing, And Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Amendment to Rules Governing Renovation and Demolition Solid Waste, *Minnesota Rules* 7035.0805

Introduction. The Minnesota Pollution Control Agency (MPCA) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on December 31, 2008, public video-conference hearings will be held at the MPCA office locations listed below from 6:00 p.m. to 8:30 p.m. on Thursday, January 22, 2009, and from 9:00 a.m. to 4:30 p.m. on Friday, January 23, 2009. The Administrative Law Judge may elect to close the hearing sooner than the listed time on each day if no more speakers are present. To find out whether the MPCA will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after December 31, 2008 and before January 22, 2009.

The hearing will be held in the 4th Floor Video Conference Room at the MPCA, 520 Lafayette Road North, St. Paul, Minnesota 55155.

The hearing can be viewed through video conference links at the following locations:

| | |
|----------------------------|--|
| MPCA-St. Paul: | 1st Floor, 520 Lafayette Road North, St. Paul, Minnesota 55155 |
| MPCA-Duluth: | 525 Lake Avenue South, Suite 400, Duluth, Minnesota 55802 |
| MPCA-Brainerd: | 7678 College Road-Suite 105, Baxter, Minnesota 56425 |
| MPCA-Willmar: | 1601 East Highway 12, Suite 1, Willmar, Minnesota 56201 |
| MPCA-Marshall: | 1420 East College Drive, Suite 900, Marshall, Minnesota 56258 |
| MPCA-Mankato: | 12 Civic Center Plaza, Suite 2165, Mankato, Minnesota 56001 |
| MPCA-Rochester: | 18 Wood Lake Drive Southeast, Rochester, Minnesota 55904 |
| MPCA-Detroit Lakes: | 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501 |

Proposed Rules

Video conference links are provided for the convenience of the public and are designed to allow the public an opportunity to participate in the hearings (i.e., provide testimony and enter relevant documents into the rule record). The 4th Floor Video Conference Room location in St. Paul will be the location of the hearing of record. The MPCA will be able to display any written documents presented at the hearing at all video conference sites. The hearing will not be rescheduled in the event that the video conferencing links to one or more regional offices fails.

The MPCA will post any exhibit that it intends to use or reference at the hearing on its website no later than noon on January 16, 2009.

MPCA Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the MPCA contact person. The MPCA contact person is: Derek Pemble, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194, telephone: (651) 296-6300 or 1-800-657-3864. TTY users may call the MPCA teletypewriter at (651) 282-5332.

Subject of Rules. The proposed amendments are to MPCA rules governing solid waste. The purpose of these rules is to establish the requirement that persons conducting demolition or renovation activities at structures remove materials prohibited by law from disposal in solid waste or which are generally not allowed to be accepted at unlined landfill facilities prior to commencing the demolition or renovation. The rule is intended to ensure that prohibited or unacceptable materials are removed before they are mixed in with the solid waste generated by the demolition or renovation activity, so that the materials do not need to be identified and removed at the landfill. To assist the regulated community with compliance, the proposed amendment lists prohibited/unacceptable materials and items that should be removed prior to demolition or renovation.

Statutory Authority. The statutory authority to adopt the rules is *Minnesota Statutes*, section 116.07, subd. 4.

Rule Availability. The proposed changes to *Minnesota Rules* Chapter 7035 are published in the *State Register* or they can be viewed on the MPCA Web site at <http://www.pca.state.mn.us/news/index.html>. A free copy of the proposed rules is available upon request by contacting Wendy Gardner-Pritchard at (651) 296-6300 or 1-800-657-3864. Only one copy will be sent per request.

Comments. You have until 4:30 p.m. on Wednesday, December 31, 2008, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the MPCA contact person by the due date. Comments are encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on Wednesday, December 31, 2008. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the MPCA contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the MPCA or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Proposed Rules

Cancellation of Hearing. The hearing scheduled for January 22-23, 2009, will be canceled if the MPCA does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the MPCA will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the MPCA contact person at (651) 296-6300 or 1-800-657-3864 after December 31, 2008 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes* § 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Eric Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 600 North Robert Street, PO Box 64620, St. Paul, Minnesota 55164-0620, telephone: (651) 361-7842, and Fax: (651) 361-7936.

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

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

Statement of Need and Reasonableness. The MPCA has prepared a Statement of Need and Reasonableness (SONAR). This SONAR contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The SONAR is now available for viewing in the MPCA library in the St. Paul Office, 520 Lafayette Road North, St. Paul, MN 55155. You may obtain a copy of the SONAR from the MPCA for the cost of reproduction by contacting Wendy Gardner Pritchard at (651) 296-6300 or 1-800-657-3864. The SONAR is also available on the MPCA's Web site at: <http://www.pca.state.mn.us/news/index.html>.

Request to Have MPCA Board Make Decision on Rule if No Hearing is Required. If a hearing is required, the MPCA Board will make the final decision on whether to adopt the proposed rules. If no hearing is required, you may submit a petition to the MPCA Commissioner or an MPCA Board Member to have the MPCA Board make the decision on whether to adopt the proposed rule amendments by following the procedures in *Minnesota Rules* part 7000.0650, subpart 3. Your request must be in writing, must state to whom it is directed, identify the matter that the person would like placed on the agenda and the reasons for placing it on the agenda. The petition must be received by the MPCA contact person at least 21 days before the meeting during which the petitioner would like the matter to be considered. The schedule of MPCA Board meetings is available at <http://www.pca.state.mn.us/about/board/index.html> or by contacting the MPCA contact person Derek Pemble. Requests received after the MPCA Commissioner has made a decision on whether to approve the rules will not be considered. The Commissioner is anticipated to make a decision on or about January 30, 2009, whether to approve the rules. Under *Minnesota Statutes*, section 116.02 where a hearing is not required, the MPCA Board will only make the decision on the rule if the MPCA Commissioner grants a petition or if an MPCA Board Member makes a timely request that the decision be made by the MPCA Board.

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 Procedure if No Hearing. If no hearing is required, the MPCA may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the Office of Administrative Hearings. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the MPCA to receive notice of future rule proceedings, submit your request to the

Proposed Rules

MPCA contact person Derek Pemble.

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

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

Signed by Commissioner Brad Moore on October 21, 2008

7035.0805 RENOVATION AND DEMOLITION.

Subpart 1. Scope. This part applies to persons engaged in the renovation, moving, and demolition of structures, or portions of structures, including demolition by burning for the purpose of disposal, where authorized by law, or fire training. The purpose of this part is to ensure that hazardous materials or items present in structures are removed prior to the commencement of renovation or demolition and that the hazardous materials or items generated as a result are properly characterized and disposed of or recycled.

Subp. 2. Definitions. For purposes of this part:

A. "Commencement of renovation or demolition" means to take any action that results in the physical alteration of the interior or exterior of a structure for the purpose of renovating or removing the structure, and includes alteration or removal of walls, ceilings, floors, or roofs or associated structural components such as porches and garages. Physical alterations necessary to comply with this part, for example, removal of a wall as needed to remove a hydraulic oil tank, do not constitute commencement of renovation or demolition, provided that the physical alteration does not result in the disturbance of items listed in subpart 5 other than the targeted item. Actions that do not result in physical alteration of the structure, such as grubbing or removal of sidewalks, parking surfaces, or uncontaminated soil, do not constitute commencement of renovation or demolition.

B. "Structures" includes buildings used or formerly used for residential, recreational, governmental, agricultural, commercial, or industrial purposes and other buildings of a relatively permanent nature such that they may contain fixtures and devices associated with electrical, plumbing, heating, cooling, safety, or lighting systems.

Subp. 3. Removal requirements. The owner, person authorizing the renovation or demolition, and person conducting the renovation or demolition shall ensure that the items and materials listed in subpart 5 are removed prior to the commencement of renovation or demolition.

Subp. 4. NESHAP facilities.

A. For persons conducting demolition of a facility, as defined under *Code of Federal Regulations*, title 40, section 61.141, and regulated under part 7011.9920, the items and materials must be removed two working days prior to the start date identified on the most recently submitted ten working day notification form submitted as required under *Code of Federal Regulations*, title 40, section 61.145, paragraph (b).

B. For purposes of this subpart, "working days" means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

Subp. 5. All items and materials to be removed before renovation and demolition. All items and materials removed must be properly characterized, tested, managed, and disposed of and reused or recycled in accordance with applicable standards. Persons authorizing or conducting renovation or demolition or arranging for removal of items are encouraged to contact the agency regarding opportunities to reuse or recycle the items and materials listed in this subpart, as well as other materials comprising the structure, and to obtain checklists or other guidance documents that have been developed to assist with compliance with this part. The following items and materials must be removed prior to the commencement of renovation or demolition:

A. items that would normally be disposed of as mixed municipal solid waste including, but not limited to, furniture, carpeting unattached to the substrate, bedding, mattresses, clothing, small appliances, food, and food waste;

B. household hazardous waste as defined in *Minnesota Statutes*, section 115A.96, subdivision 1, including, but not limited to, automotive fluids, lawn and garden chemicals, pest control products, household cleaners, paint, and home improvement products;

C. materials that constitute industrial solid waste or hazardous waste;

D. waste tires as defined in *Minnesota Statutes*, section 115A.90, subdivision 11;

E. appliances that meet the definition of "major appliances" in *Minnesota Statutes*, section 115A.03, subdivision 17a;

F. items that may contain elemental mercury, including, but not limited to, the following:

(1) batteries found in smoke detectors, emergency lighting systems, elevator control panels, exit signs, and security systems and alarms;

(2) lighting, including fluorescent lights and high intensity discharge lights, such as metal halide, high pressure sodium, mercury vapor, and neon;

(3) switches;

(4) thermostats and similar devices, including aquastats, pressurestats, firestats, manometers, and thermometers;

(5) devices associated with boilers, furnaces, heaters, and tanks, including mercury flame sensors by pilot lights, manometers, thermometers and gauges, pressure-trol, float, or level controls, and space heater controls;

(6) devices associated with electrical systems, including load meters and supply relays, phase splitters, microwave relays, and mercury displacement relays; and

(7) miscellaneous devices that may contain mercury;

G. items that may contain polychlorinated biphenyls (PCBs), including, but not limited to, transformers, transistors, capacitors in old appliances and electronic equipment, heat transfer equipment, and light ballasts;

H. items that may contain chlorofluorocarbons (CFCs) as defined in *Minnesota Statutes*, section 116.70, subdivision 3, including, but not limited to, fire extinguishers; both portable and installed halon suppression systems; rooftop, room, and central air conditioners; walk-in coolers for refrigeration or cold storage areas; water fountains and dehumidifiers; refrigerators, freezers, and chillers; heat pumps; vending machines; and food display cases;

I. oils, including, but not limited to, used oil, hydraulic oils in door closers and elevator-related tanks and piping, and oils located in heating oil tanks, piping, sumps, and traps;

J. lead-containing items, including, but not limited to, lead-acid batteries, lead pipes, lead sheeting, lead flashing in roof vents, and lead paint that is not firmly adhered to the substrate. For purposes of this item, "lead paint" means a coating that contains one-half of one percent (0.5 percent) or more or 5,000 parts per million (5,000 ppm) or more of total lead by weight in the dried film, as determined by acid digestion and analysis, or contains one milligram per square centimeter (1.0 mg/cm²) or more of lead, as determined by X-ray fluorescence analyzer;

K. electronic products containing a cathode ray tube, as described in *Minnesota Statutes*, section 115A.9565, including, but not limited to, televisions and computers;

L. electronic products containing a circuit board;

M. asbestos that is required to be removed under part 7011.9920;

N. material trapped in sumps and traps, unless characterized as nonhazardous and nonliquid;

O. radioactive waste as defined in *Minnesota Statutes*, section 116C.71, subdivision 6; and

P. other materials or items that are prohibited from disposal at the facility intended to receive the renovation or demolition waste for processing or disposal.

Subp. 6. Exemption.

A. The requirement to remove items or materials listed in subpart 5 prior to commencement of renovation or demolition does not apply under the following circumstances:

(1) the structure is unsafe to enter as determined by a local government authority;

(2) the items and materials uncovered during the course of renovation or demolition could not have been reasonably identified prior to commencement;

(3) the items or materials are within components of the structure, such as elevators, vertical lifts, or lighting, that need to remain intact during the course of renovation or demolition, provided that the items or materials are removed after use of the component is no longer required; or

(4) the items or materials cannot be removed in a timely manner due to the fact that the demolition or renovation is being performed in response to an emergency maintenance situation. For purposes of this subpart, an "emergency maintenance situation" means demolition or renovation that is necessary due to a sudden and unexpected event, such as an equipment failure, that if not immediately attended to presents a safety or health hazard or is necessary to protect the structure or items within the structure from costly damage.

B. If the removal of hazardous materials or items is not required as provided under this subpart, the owner, person who will authorize renovation or demolition, and person who will conduct the renovation or demolition must comply with the requirements of this part to the extent reasonable, by removing the items and materials listed in subpart 5 that are accessible before or after renovation or demolition.

Subp. 7. Duties under other law. Other federal and state laws establish requirements for the management of asbestos, CFCs, tank systems, and waste, and other federal, state, and local laws establish requirements governing noise, air emissions, storm water controls, and worker safety. Nothing in this part shall be construed as relieving any person from the duty to comply with any applicable federal, state, or local requirement. In particular, nothing in this part shall be construed as relieving any person of requirements under state or federal law governing inspection and removal of regulated asbestos-containing materials. Nothing in this part shall be construed as relieving any person of duties related to the proper management of solid or hazardous waste or CFCs. Nothing in this part shall be construed as relieving any person of duties related to the prevention of fugitive emissions.

Proposed Rules

Subp. 8. **Debris characterization.** If the owner, person authorizing renovation or demolition, or person conducting the renovation or demolition knows or has reason to know that portions of the structure may be contaminated by hazardous substances or petroleum as defined in *Minnesota Statutes*, section 115C.02, subdivision 10, based on past uses of the structure, such as a medical building, laboratory, or manufacturing facility, the owner, person authorizing renovation or demolition, or person conducting the renovation or demolition shall, prior to the commencement of renovation or demolition, obtain appropriate samples and receive results from laboratory analysis as necessary to ensure the proper management and disposal of contaminated structural elements and any resulting debris generated. All persons are encouraged to contact the regional agency solid waste inspector for assistance with compliance with this part.

Subp. 9. **Stop work order.** If conditions exist that pose an imminent and substantial danger to the health and welfare of the people of the state, or any of them, as a result of the failure to comply with this part, the agency reserves the right to issue an emergency order to direct the immediate discontinuance of the renovation or demolition or the abatement of the pollution without notice and without a hearing as provided in *Minnesota Statutes*, section 116.11.

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 Permanent Game and Fish Rules: Designated Spawning Beds and Fish Preserves

The rules proposed and published at *State Register*, Volume 32, Number 51, pages 2208-2212, June 16, 2008 (32 SR 2208); and Volume 32, Number 52, pages 2263-2268, June 23, 2008 (32 SR 2263), are adopted as proposed.

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.

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Metropolitan Council 2009 Disadvantaged Business Enterprise Program (DBE) Goal

The Metropolitan Council's Disadvantaged Business Enterprise Program (DBE) and goal request for fiscal year 2009 has been submitted to the Federal Transportation Administration (FTA), pursuant to part 26 of the *Code of Federal Regulations*, Chapter 49. When approved the Council's overall DBE goal of 15% for DOT-assisted contracts will be effective from October 2, 2008 through September 30, 2009. This goal and a description of how it was set is available for inspection during normal business hours at the Council offices for 45 days from the date of this notice. Comments, which are for information purposes only, may be sent to the Director, Office of Diversity and Equal Opportunity, Metropolitan Council, 390 North Robert, St Paul, MN 55101; or the U.S. Department of Transportation, 400 - 7th St., S.W., Washington, D.C. 20590.

Department of Public Safety Office of Traffic Safety Notice of Certification of Ignition Interlock Performance Standards

Pursuant to *Minnesota Statute* 171.305, subd. 3 and *Minnesota Statute* Section 171.306 subd. 2. (2007 supp)¹ the Commissioner of Public Safety has certified Performance Standards for ignition interlock devices in Minnesota. These Performance Standards include a procedure for the approval, suspension and/or revocation process, installation, support, and removal of ignition interlock devices in the State of Minnesota.

A copy of these Performance Standards may be obtained by accessing the Department of Public Safety's website at: www.dps.state.mn.us/ots or by emailing a request to Jean Ryan at jean.m.ryan@state.mn.us.

All questions concerning these Performance Standards should be emailed to Jean Ryan at jean.m.ryan@state.mn.us.

(Footnotes)

¹ Act of May 7, 2007, Chapter 54, Article 3, Section 5, Subdivision 2 (*Minnesota Laws 2007*)

Official Notices

Public Utilities Commission

Notice of Filing in the Matter of the Application of Wisconsin Power and Lights Company for a Certificate of Need for the 200 MW Bent Tree Wind Project and Associated 161 kV Transmission Line in Freeborn County

Public Utilities Docket No: IP-6657/CN-07-1425

NOTICE IS HEREBY GIVEN that on July 27, 2008 Wisconsin Power and Lights Company (Applicant) filed a certificate of need application for the Bent Tree Wind Project and an associated 161 kV transmission line. The Bent Tree Wind Project is a 200 MW facility located entirely in Freeborn County. The associated 161 kV transmission line is 18 miles in length and when constructed will connect the project to the transmission grid. This project is the first of two projects that will ultimately result in a 400 MW wind generation facility.

The proposed generation facility and transmission line fall under the definition of "large energy facility" in *Minnesota Statutes* § 216B.2421, subd. 2 (1). Therefore, in accordance with *Minnesota Statutes* § 216B.243, subd. 2, the facilities cannot be constructed or sited in Minnesota unless the Commission issues a certificate of need to the Applicant.

The certificate of need rules pertaining to the review of this filing are in *Minnesota Rules* Chapter 7849. On September 18, 2008 the Commission noted the absence of disputed material facts and ordered an informal review process as authorized by *Minnesota Rules* 7829.1200. This order and other documents associated with certificate of need application can be viewed at: www.edockets.com (click search then enter docket number **07-1425** for the certificate of need application). Additionally the Applicant has filed a site permit application for the project and information on this application can be found using the docket number **08-573** as described in the prior parenthesis.

Interested persons are encouraged to provide written comments on whether the proposed project is needed and is in the public interest. This comment period is open until January 8, 2009, and individuals may file reply comment up until February 5, 2009. These comments should be addressed to Burl Haar Executive Secretary, Minnesota Public Utilities Commission, 121 - 7th Place East, Suite 350, St. Paul, MN 55101-2147.

Questions about the Bent Tree Wind Project certificate of need application may be directed to Bret Eknes, Minnesota Public Utilities Commission, 121 - 7th Place East, Suite 350, St. Paul, MN 55101, phone: (651) 201-2236, e-mail bret.eknes@state.mn.us.

Public Utilities Commission

Notice of Filing, Public Comment Period and Public Meeting in the Matter of the Applications of Northern States Power (d/b/a Xcel Energy) for a Certificate of Need for the Prairie Island Nuclear Generating Plant for an Extended Power Uprate and for Additionally Dry Cask Storage at its Independent Spent Fuel Storage Installation

Public Utilities Docket Numbers: E-002/CN-08-509 and E-002/CN-08-510

NOTICE IS HEREBY GIVEN that on May 16, 2008 Northern States Power, d/b/a Xcel Energy, (Applicant) submitted applications to the Public Utilities Commission for certificates of need for Additional Dry Cask Storage and an Extended Power Uprate at the Prairie Island Nuclear Generating Plant (PINGP). **The Commission has assigned two separate docket numbers, E002/CN-08-509 and E002/CN-08-510 respectively, to the two cases.**

These proposed changes to the nuclear generation facility fall under the definition of "large energy facility" in *Minnesota Statutes* § 216B.2412 Subd. 2(8). Therefore, in accordance with *Minnesota Statutes* § 216B.243 Subd. 2 the facilities cannot be constructed in Minnesota unless the Commission issues a certificate of need to the Applicant.

The Extended Power Uprate (EPU) Application would allow for an increase of an additional 164MW of electrical generating capacity at PINGP to be completed during scheduled outages in 2012 and 2015. The procedures and criteria for this Certificate of Need are

contained in *Minnesota Statutes* §216B.243, and *Minnesota Rules* Parts 7849 and 7829.

The Certificate of Need request for Additional Dry Cask Storage would allow for an additional 35 casks of storage at the existing Independent Spent Fuel Storage Installation (ISFSI) in order to accommodate plant operations through 2034. The procedures and criteria for this Certificate of Need are contained in *Minnesota Statutes* §216B.243, and *Minnesota Rules* Parts 7855 and 7829.

On July 22, 2008 the Commission accepted the certificate of need applications as complete pending supplement information and referred the dockets to the Officer of Administrative Hearings for contested case proceedings.

Administrative Law Judge Richard C. Luis has been assigned to the contested case proceedings for these applications. Judge Luis will preside over a public hearing to be held on May 14th, 2009 at a time and location to be announced. At this public hearing, individuals will be given the opportunity to comment on the need for these proposed modification. Additionally interested individuals may mail, fax, or email comments to Judge Luis until the public comment deadline of May 25th, 2009. E-mail comments should be sent to rulecomments@state.mn.us and fax comments to the following number: (651) 361-7936. Comments via the mail should be sent to: Judge Richard C. Luis, Office of Administrative Hearings P.O. Box 64620, 600 North Robert Street, Saint Paul, MN 55164.

This order and other documents associated with these certificates of need applications can be viewed at:

<https://www.edockets.state.mn.us/EFiling/home.jsp>

(click on "Search documents" and then enter Docket Number **08-509** for the extended power uprate application or enter Docket Number **08-510** for the dry cask storage application). Additionally, the Applicant has filed a site permit in conjunction with extended power uprate and information on this application can be found using the docket number **08-690** as described in the previous parenthesis.

The Commission has designated Michael Kaluzniak (651) 201-2257, mike.kaluzniak@state.mn.us as public advisor for these proceedings. You may contact him at: Minnesota Public Utilities Commission, 121 - 7th Place East, Suite 350, Saint Paul, MN 55101-2147. Other contact information: Toll-Free: 1-800-657-3782, Fax: (651) 297-7073, or TTY: Minnesota Relay Services, 1-800-627-3529.

Teachers Retirement Association Notice of Meeting of the Board of Trustees December 16, 2008

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Tuesday, December 16, 2008 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 Grants & Loans

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

Grant Applicants

Have you checked up on all the “active” state grants? Only for *State Register* subscribers is a “Contracts & Grants” section available that lists all grants and contracts open for bid. Open the *State Register* and click on Bookmarks in the upper left corner. You will see a list of ALL the current rules, with an INDEX, and previous years’ indices, as well as a list of all contracts and grants open for bid. Subscribe and receive LINKS to the *State Register*. You also receive Subscriptions cost \$180 a year (an \$80 savings). Here’s what you receive via e-mail:

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Department of Human Services

Children’s Mental Health Division

CORRECTION ON TITLE OF RFP GRANT

Incorrect Title - Notice of Request for Proposals to Increase the Availability of Mental Health Services for Children from Cultural Minority Populations

Correct Title:

NOTICE OF REQUEST FOR PROPOSALS TO ENHANCE EARLY CHILDHOOD MENTAL HEALTH CAPACITY AND TO PROVIDE CULTURALLY AND DEVELOPMENTALLY APPROPRIATE MENTAL HEALTH SERVICES TO YOUNG CHILDREN AGES BIRTH TO FIVE

The Minnesota Department of Human Services, through its Children’s Mental Health Division (State), is seeking Proposals from qualified Responders to enhance early childhood mental health capacity and to provide mental health services to young children ages birth to five (and their families) who are uninsured and underinsured.

A complete Request for Proposals and application can be obtained from:

Antonia Wilcoxon
DHS/Children’s Mental Health Division
E-mail: antonia.wilcoxon@state.mn.us

Proposals should be mailed to: Antonia Wilcoxon
Elmer Andersen Building
540 Cedar Street
P.O. Box 64985
St. Paul, MN 55164-0985

The deadline for receipt of proposals is Friday, February 6, 2009 4:00 pm Central Standard time. Late proposals will not be considered. Faxed or e-mailed proposals will NOT be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder. Other department personnel are NOT authorized to discuss this RFP with anyone, including responders, before the proposal submission deadline.

Department of Human Services

Disability Services Division

Home and Community Living Services

Notice of Publication of Request for Proposal Seeking a Qualified Grantee(s) to Provide Housing Access Supports to Minnesotans Eligible for Long Term Care or State Plan Home Care Services Who Want to Relocate to Homes of Their Own

NOTICE IS HEREBY GIVEN THAT The Minnesota Department of Human Services, through its Disability Services Division is seeking Proposals from qualified Responders to provide housing access services to Minnesotans with disabilities who are eligible for long term care or state plan home care services and wish to move to homes of their own. Housing access grants will fund public or private organizations that will assist eligible people who choose to move to homes of their own using state plan funded supports or long term care waiver services without the use of service provider driven housing. The Disabilities Services Division will operate the housing access grant program according to *Minnesota Statutes* 2008 §256B.0658 and other applicable State and Federal laws and regulations.

Contracts will begin during the current state fiscal year and continue through June 30, 2010. During the 2008 session the Minnesota State Legislature allocated \$250,000 for housing access services through June 30, 2009, and \$500,000 for state fiscal year 2010.

The Minnesota Department of Human Services Disability Services Division seeks regional or statewide organizations to support eligible Minnesotans with disabilities who want to relocate to homes of their own. Successful bidders will describe how their organization will provide help with such matters as:

- Seeking and locating suitable, affordable, accessible housing,
- Accompanying individuals as they look for housing,
- Completing rental applications and lease agreements,
- Meetings with landlords and property staff,
- Knowledge of and applications for publicly financed housing,
- Household budget development,
- Furnishing a home, and any related housing matters.

Responders' questions regarding this RFP must be submitted **in writing prior to 4:00 p.m. Central Time on Friday, December 12, 2008.**

All questions must be addressed to: Attention: Melanie Fry
Disability Services Division,
Department of Human Services
St. Paul, MN 55164-0967
Phone: (651) 431-2426
FAX #: (651) 431-7411
E-mail: *Melanie.Fry@state.mn.us*

A Responders' Conference will be held on **Wednesday, December 17, 2008, at 9:00 A.M. Central Time at 540 Cedar Street, St. Paul, MN.** The conference will serve as an opportunity for Responders to ask specific questions of State staff concerning the project. Attendance at the Responders' Conference is not mandatory but is recommended. Responders may attend via conference call (contact the State contact for this RFP for more information about attending by conference call). Oral answers given at the conference will be non-binding. Written responses to questions asked at the conference will be sent to all identified prospective Responders after the conference. **One (1) original and six (6) copies** of the Proposal must be submitted. Proposals must be physically received (not postmarked) by **4:00**

State Grants & Loans

p.m. Central Time on December 31, 2008 to be considered. Late Proposals will not be considered and will be returned unopened to the submitting party. **Faxed or e-mailed Proposals will not be accepted.**

The above-referenced packages and all correspondence related to this RFP must be delivered to:

Attention: Melanie Fry
Disability Services Division
Department of Human Services
444 Lafayette Road N.
St. Paul, MN 55155
Phone: (651) 431- 2426

It is solely the responsibility of each Responder to assure that their Proposal is delivered at the specific place, in the specific format, and prior to the deadline for submission. **Failure to abide by these instructions for submitting Proposals may result in the disqualification of any non-complying Proposal.**

State Contracts

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

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

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

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Department of Administration

Minnesota Multistate Contracting Alliance for Pharmacy

Notice of Availability of Request for Proposal for Pharmaceutical Distribution Services to MMCAP Facilities

I. NOTICE OF REQUEST FOR PROPOSAL

Purpose

The State of Minnesota, Department of Administration by and through the Minnesota Multistate Contracting Alliance for Pharmacy (hereinafter, "State" or "MMCAP") is requesting proposals from vendors interested in serving as pharmaceutical distributors servicing MMCAP facilities. It is anticipated that any contract(s) awarded from this Request for Proposal will become effective on April 30, 2009. The contracted vendor(s) must provide either national or regional distribution services to MMCAP Facilities in MMCAP participating entities. Actual distribution services to MMCAP Facilities will commence June 20, 2009.

Background

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceutical products and services. Annually, through a competitive process, it contracts directly with pharmaceutical and allied products manufacturers and suppliers for their products, and then uses contracted distributor(s) to deliver the products to its member facilities. Contracted distributors do not participate in the solicitation or selection process. MMCAP is currently made up of 45 participating states and the Cities of Chicago and Los Angeles, with approximately 6,000 participating facilities, and about 2,000 actively participating facilities that purchase over \$700 million per year through the MMCAP-contracted distributors. Participation in MMCAP is limited to facilities with statutory authority to purchase commodities from member entities' contracts; including but not limited to state agencies and political subdivisions, such as correctional facilities, regional psychiatric treatment facilities, student health services, public health services, veterans' nursing homes, and public hospitals.

Responses

A copy of the Request for Proposal is available at the website address: <http://www.mmcap.org> under "Vendors and RFPs," or upon written request at: MMCAP PHARMACEUTICAL DISTRIBUTION SERVICES RFP C/o Minnesota Department of Administration 50 Sherburne Avenue, Room 112 St. Paul, MN 55155

Proposals submitted in response to the Request for Proposal in this notice must be sealed and received at the address above no later than 2:00 p.m. Central Time on Monday, December 15, 2008. **Late proposals will not be considered.** Fax or e-mailed proposals will **NOT** be considered. This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

II. CONTACT FOR RFP INQUIRIES

Questions regarding the Request for Proposal must be in writing and submitted by 2:00 a.m. Central Time on Friday, November 21, 2008 at the following address: write to: 50 Sherburne Avenue, Room 112 St. Paul, MN 55155; **Fax:** (651) 297-3996; or **e-mail:** almena.dees@state.mn.us

Department of Administration

State Designer Selection Board Project No. 08-11

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: MN Army National Guard Field Maintenance Shop (FMS) at the Arden Hills Army Training Site (AHATS), Arden Hills, Minnesota

The State of Minnesota, Department of Administration, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

State Contracts

A full Request for Proposals is available on the Minnesota National Guard's website <http://www.MinnesotaNationalGuard.org/rfp>.

Along with the Request for Proposals, the Predesign Project Planning Document Charrette Report (dated 2008), previous 35% Design Documents (dated 2004), and Space Needs Study (dated 2002) are also available for review at:

<http://www.MinnesotaNationalGuard.org/rfp>.

A **mandatory** informational meeting is scheduled for **Thursday, December 18, 2008 at 10:30 a.m.** at the Arden Hills City Hall, basement level, 1245 County Highway 96 West, Arden Hills, Minnesota 55112.

Project questions will be taken by Dennis Arntson at (320) 616-2609 or dennis.arntson@mn.ngb.army.mil. Project questions will be **answered** at the mandatory meeting and by addendum posted on the website <http://www.MinnesotaNationalGuard.org/rfp>.

Proposals must be delivered to Bev Kroiss, State Designer Selection Board, Real Estate & Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155; phone: (651) 201-2540 not later than **12:00 P.M. on Monday, January 5, 2009**. Late responses will not be considered.

The Minnesota National Guard is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration State Designer Selection Board Minnesota State Colleges and Universities Notice of Availability of Request for Proposal (RFP) for Designer Selection for St. Cloud State University – National Hockey Center Project No. 08-21

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of St. Cloud State University, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposal and a copy of the pre-design is available on the Minnesota State Colleges Universities website:

<http://www.finance.mnscu.edu/facilities/index.html>.

Click on "Announcements." An informational meeting is scheduled for 10:00 AM, November 21, 2008 in the Atwood Memorial Center building and the Voyageurs North room on the St. Cloud State University campus, 720 - 4th Ave. S., St. Cloud, MN 56301. All firms interested in this meeting should contact Jane Spaude at (320) 308-2267 to sign up to attend the meeting. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Bev Kroiss, Executive Secretary, State Designer Selection Board, 200 Administration Building in the Commissioner's Office, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2540 not later than 12:00 p.m., Monday, December 8, 2008. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration (Admin)**State Designer Selection Board Project No. 08-22****University of Minnesota - Duluth****Notice of Availability of Request for Proposal (RFP) for Designer Selection for:
University of Minnesota Duluth — American Indian Learning Resource Center**

The State of Minnesota, acting through its Board of Regents for the University of Minnesota, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the University of Minnesota Capital Planning and Project Management website:

<http://www.cppm.umn.edu/purchasing/rfp.html>,

click on "American Indian Learning Resource Center."

An informational meeting is tentatively scheduled for **1:00p, December 9th in the Lobby of the Darland Administration Building, 1045 University Drive, UMD Campus, Duluth.** All firms interested in this project should attend this meeting. Project questions will also be taken at this meeting.

Proposals must be delivered to Bev Krois, Executive Secretary, State Designer Selection Board, 200 Administration Building in the Commissioner's Office, 50 Sherburne Ave., St. Paul, MN 55155, phone: (651) 201-2627 no later than **12:00 P.M., December 22nd.** Late responses will not be considered.

The University of Minnesota is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities**Information Technology Services****Notice of Request for Proposal for the Security Information and Event Monitoring System**

Minnesota State Colleges and Universities is requesting proposals for the purpose of identifying a Security Information and Event Monitoring solution for aggregating, correlating, and analyzing security event data in real time. Security Information and Event Monitoring solutions help security professionals identify and promptly respond to threats, demonstrate compliance with regulatory requirements, and perform sophisticated forensic activities.

Work is proposed to start after April 22, 2009.

The Request for Proposal is available at the following web site: *<http://its.mnscu.edu/siemrfp/>*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address listed in the RFP no later than Friday, December 12, 1:00 p.m. US Central Standard Time. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered.

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

State Contracts

Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Bids Sought for Cooling Tower System Electrical Upgrades

NOTICE IS HEREBY GIVEN that Dakota County Technical College will receive bids for Cooling Tower System Electrical Upgrades. Bidding documents are available by contacting the project architect/engineer, TKDA Inc at (651) 292-4400.

A **Pre-bid Meeting** will be held at 9:00 AM on Tuesday, Dec 2, 2008 in Rm 2-143 at Dakota County Technical College.

Sealed bids must be received by Paul DeMuth at Dakota County Technical College, 1300 - 145th St. East, Rosemount, MN 55068 by 2:00 PM on Thursday, Dec 11, 2008 at which time the bids will be opened and publicly read aloud.

Minnesota State Colleges and Universities (MnSCU) Normandale Community College Request for Bids for Printing and Mailing Normandale Continuing Education Winter/ Spring 2009 Course Schedule

Signed Sealed bids are due Monday, Dec 15th 2008, 12:00 P.M. CST

Bid Specifications, help with questions and concerns, plus General Terms, Conditions and Instructions including signature page are available from Hieu Nguyen at (952) 487-8236 or Sandy Larson at (952) 487-8241.

Deliver Bids to Normandale Community College, attention Hieu Nguyen, Room C2101; 9700 France Ave South; Bloomington, MN 55431. Envelopes must arrive at this office on time and be identified as Course Schedule Sealed Bids.

Minnesota State Colleges and Universities (MnSCU) Winona State University Request for proposals for 2008 or 2009 Dodge Sprinter 2500 Cargo Van

NOTICE IS HEREBY GIVEN that Winona State University is seeking proposals for a new 2008 or 2009 Dodge Sprinter 2500 cargo van, white only, per proposal specifications.

Proposal specifications will be available Monday December 1 2008 by contacting the purchasing department at Winona State University, P.O. Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail sschmitt@winona.edu or by calling (507) 457-5067.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen Hall 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM on Friday December 12 2008.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Natural Resources (DNR) Notice of Availability of Contract for Assessing Planning and Zoning Approaches to Mitigate the Effects of Forestland Parcelization in Minnesota

The Minnesota Department of Natural Resources and the Minnesota Forest Resources Council are requesting proposals for the purpose of assessing the ability of various land use planning and zoning approaches to mitigate the negative effects of forest land parcelization in Minnesota. This assessment will be utilized, along with assessments of other policy tools, to formulate recommendations to the legislature, state agencies and other local units of government, to inform state policy direction in mitigating the negative effects of forestland parcelization.

Work is proposed to start after January 1, 2009.

A Request for Proposals will be available by mail from this office through December 15th, 2008. **A written request (by direct mail, fax, or e-mail) is required to receive the Request for Proposal.** After December 15th, 2008, the Request for Proposal must be picked up in person or will be e-mailed.

The Request for Proposal can be obtained from:

Calder Hibbard
Minnesota Forest Resources Council
2003 Upper Buford Circle
St. Paul, MN 55108
Phone: (651) 603-0109
Fax: (651) 603-0110
E-mail: *hibb0006@umn.edu*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., December 22nd, 2008. **Late proposals will not be considered.**

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

Department of Natural Resources (DNR) Notice of Availability of Contract for Assessing the Use of Conservation Easements in Mitigating the Effects of Forestland Parcelization in Minnesota

The Minnesota Department of Natural Resources and the Minnesota Forest Resources Council are requesting proposals for the purpose of assessing the ability of conservation easement to mitigate the negative effects of forest land parcelization in Minnesota. This assessment will be utilized, along with assessments of other policy tools, to formulate recommendations to the legislature, state agencies and other local units of government, to inform policy direction in mitigating the negative effects of forestland parcelization.

Work is proposed to start after January 1, 2009.

A Request for Proposals will be available by mail from this office through December 15th, 2008. **A written request (by direct mail, fax, or e-mail) is required to receive the Request for Proposal.** After December 15th, 2008, the Request for Proposal must be picked up in person or will be e-mailed.

The Request for Proposal can be obtained from:

Calder Hibbard
Minnesota Forest Resources Council

State Contracts

2003 Upper Buford Circle, St. Paul, MN 55108

Phone: (651) 603-0109

Fax: (651) 603-0110

E-mail: *hibb0006@umn.edu*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., December 22nd, 2008. **Late proposals will not be considered.**

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

Department of Natural Resources (DNR) Notice of Availability of Contract for Landscape Architecture and Engineering Consulting Services for a New Campground Project at Split Rock Lighthouse State Park; Located about 20 Miles Northeast of Two Harbors on MN Highway 61 CERTIFICATION # 32793

Scope-of-work includes: Evaluating the site, program criteria, and other existing planning documentation. Design and layout of campsites, camper cabin sites, trails and access road/loop configurations; engineering design for roadways and parking, site utilities, storm sewers, water wells, septic systems, vault toilets and RV dump-stations; design of new landscape features and plantings; design of miscellaneous campsite amenities and other items necessary for a complete new campground installation. The MNDOT Highway 61 road project is scheduled for construction in 2010, and campground roadway design work will be required in an area from the Highway 61 underpass to the campground. Coordination with MNDOT may be necessary for this.

The Request for Proposal can be obtained from:

Jason Peterson, Landscape Architect Senior

Department of Natural Resources

500 Lafayette Road, Box 16

St. Paul, MN 55155-4016

Phone: (651) 259-5488

Fax: (651) 297-5818

E-mail: *Jason.Peterson@dnr.state.mn.us*

All proposals must be received not later than 2:30 p.m., Central Time, Monday, December 15, 2008, as indicated by a notation made by the Receptionist, 4th Floor, 500 Lafayette Road, St. Paul, MN

Work is proposed to start after January 1, 2009.

Late proposals will not be considered. Fax or e-mailed proposals will **NOT** be considered.

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

Department of Natural Resources (DNR)**Notice of Availability of Contract for Qualified Professional Title Commitment Underwriters****CERTIFICATION # 17365****Amount of Proposed Contract: \$100,000**

The Minnesota Department of Natural Resources is requesting proposals for the purpose of establishing a list of professional title commitment underwriters who are willing and able to provide market analysis valuations on properties involved in potential exchanges of government-owned land in central and northern Minnesota on an "as-needed" basis.

Work is proposed to start after December 2008.

A Request for Proposals will be available by mail from this office through December 12, 2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After December 12, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Gloria Johnson, Project Coordinator
DNR – Lands and Minerals
500 Lafayette Road, Box 45
St. Paul, MN 55155
Phone: (651) 259-5395
E-mail: *Gloria.Johnson@dnr.state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., December 18, 2008. **Late proposals will not be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

Department of Natural Resources (DNR)**Notice of Availability of Contract for Real Estate Brokers****CERTIFICATION # 17353****Amount of Proposed Contract: \$75,000**

The Minnesota Department of Natural Resources is requesting proposals for the purpose of establishing a list of qualified real estate brokers who are willing and able to provide market analysis valuations on properties involved in potential exchanges of government-owned land in central and northern Minnesota on an "as-needed" basis.

Work is proposed to start after December 2008.

A Request for Proposals will be available by mail from this office through December 12, 2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After December 12, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Katherine Giel, Project Coordinator
DNR – Lands and Minerals
500 Lafayette Road, Box 45
St. Paul, MN 55155
Phone: (651) 259-5377
E-mail: *Katherine.Giel@dnr.state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than

State Contracts

2:30 p.m., December 18, 2008. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

Minnesota Department of Natural Resources (DNR) Division of Forestry Request for Information on Forest Management in Northern Minnesota Counties

1. INTRODUCTION

The purpose of the Request for Information (RFI) is for the Department of Natural Resources, to obtain information from vendors who might be interested in conducting forest management on select state owned lands in St. Louis, Lake, Cook and Koochiching Counties through a lease program. The lands are outside of state forests, scattered throughout these counties (see map).

2. OBJECTIVE

The objective of the Department of Natural Resources is to improve the productivity of scattered lands through more intensive management by the most cost effective means. The lease would provide for exclusive rights to biomass and timber resources for a 10-year lease period in exchange for lease and royalty payments to the State. DNR's interest is in accomplishing sustainable management objectives in accordance with a sustainable forest management plan. Following forest certification management principles and activities should result in more productive forest stands for the future.

3. TECHNICAL CONSIDERATIONS

The proposed lease lands are located in scattered parcels ranging from 20 to 200 acres, with a median size of approximately 80 acres. Total acres are approximately 8000. Parcels identified include conifer stands requiring precommercial thinning (~280 acres), upland and lowland brush sites (~2400 acres) and highly damaged and declining forest stands with low timber volume (~5300 acres).

4. INFORMATION BEING REQUESTED

- Vendor Qualifications
 - Provide a general description of land you may have managed and how many acres.
 - Include certifications. (Management of state land requires individuals to have dual forest certification capabilities [SFI & FSC], and use certified contractors)
- Would you be interested in state lands within a specific county or all counties?
- Provide ideas/suggestions for forest management lease terms.

5. RFI RESPONSES:

Four (4) copies of the response should be submitted to the address shown below no later than **4:00 PM Central Time, December 31, 2008**. Questions may be addressed to Dave Schuller at:

Dave Schuller, Lands Program Coordinator
Minnesota Department of Natural Resources
Division of Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
Phone: (651) 259-5255
E-mail: dave.schuller@dnr.state.mn.us

Department of Natural Resources (DNR)

Management Resources

Lake Shetek State Park

Notice of Availability of Contract to Provide Landscape Architecture and Engineering Consulting Services for a Campground Rehabilitation Project at Lake Shetek State Park; Located North of Currie Minnesota on County Road 38 CERTIFICATION # 17392

Scope-of-work includes: Evaluating and re-designing the overall campground; layout and spacing of campsites and the access road/loop configuration; resolving ongoing erosion and drainage issues; upgrading electric sites to 50 amp service; relocating the RV dump station; relocating the existing camper cabin and site design for up to four additional camper cabins in a cluster; design of new landscape features and plantings; and any other issues necessary to address comprehensive rehabilitation. Campground rehabilitation design may include the creation of an RV-only loop.

The Request for Proposal can be obtained from:

Jason Peterson, Landscape Architect Senior
Department of Natural Resources
500 Lafayette Road, Box 16
St. Paul, MN 55155-4016
Phone: (651) 259-5488
Fax: (651) 297-5818
E-mail: *Jason.Peterson@dnr.state.mn.us*

Required site visit will take place on December 10, 2008

All proposals must be received not later than 2:30 p.m., Central Time, Friday, January 2, 2009, as indicated by a notation made by the Receptionist, 4th Floor, 500 Lafayette Road, St. Paul, MN

Late proposals will not be considered. Fax or e-mailed proposals will **not** be considered.

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

Work is proposed to start after February 1, 2009.

Department of Transportation (Mn/DOT)

Engineering Services Division

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

State Contracts

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 for application. Applications are accepted on a continual basis. All expenses are 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 applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

Minnesota Department of Transportation (Mn/DOT) Office of Investment Management Request for Proposals (RFP) Mileage Based User Fee: Public Perception Phase 3 Study

This is a notice of availability of a Contract for a consultant to collect market research data regarding public reactions/perceptions to an alternative funding concept. This concept is called a Mileage Based User Fee (MBUF), which generally involves charging vehicle operators a fee based on the number of miles driven as opposed to the amount of fuel used. MBUF has been researched qualitatively in Minnesota over the past 18 months.

The full RFP can be viewed on the Consultant Services Web Page at www.dot.state.mn.us/consult/index.html under the P/T Notices Section.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator
Telephone: (651) 366-4627
E-mail: ashley.duran@dot.state.mn.us

Note: RESPONSES WILL BE DUE ON TUESDAY, DECEMBER 30, 2008 AT 2:00 PM CENTRAL STANDARD TIME

Non-State Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council

Notice of Invitation for Bids (IFB) for Rental of 2 MW Generators from March 1 – May 31, 2009

Reference Number 08P163

The Metropolitan Council is requesting bids for the rental of 2 MW generators for standby power at the Effluent Pumping Station at the Metropolitan Wastewater Treatment Plant in St. Paul, MN for the period March 1, 2009 to May 31, 2009.

Issue Invitation for Bids

November 24, 2008

Bids Due

December 30, 2008 @ 3:00 pm local time

Contract Award

January 2009

Bidding documents are available for download at no cost at www.metrocouncil.org (see Doing Business with the Council) or www.questcdn.com. Input QuestCDN eBidDoc™ Number 776233 on the website's Project Search page. Contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance in downloading and working with the digital documents.

Questions concerning the content of the IFB documents may be directed to:

Auburn Dees
IFB Administrator
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101
Phone: (651) 602-1346
E-mail: auburn.dees@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Air Permit Compliance Assistance Reference Number 08P168

The Metropolitan Council is soliciting Request for Proposals to provide engineering assistance to its Environmental Services Division with air permit compliance activities.

Issue Request for Proposals

November 26, 2008

Proposals Due

December 30, 2008

Award Contract

January 2009

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail or phone request to:

Miriam Lopez-Rieth
Contracts and Procurement Unit
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101-1805

Non-State Bids, Contracts & Grants

Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: *Miriam.Lopez-Rieth@metc.state.mn.us*

Metropolitan Council

Notice of Request for Proposals (RFP) for Assessment, Coaching, and 360 Degree Feedback

Reference Number 08P148

The Metropolitan Council is soliciting Request for Proposals to provide assessment, coaching, and 360 degree feedback services.

| | |
|------------------------------------|--------------------------|
| <i>Issue Request for Proposals</i> | November 25, 2008 |
| <i>Proposals Due</i> | December 23, 2008 |
| <i>Award Contract</i> | January 2009 |

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail or phone request to:

Miriam Lopez-Rieth
Contracts and Procurement Unit
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101-1805
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: *Miriam.Lopez-Rieth@metc.state.mn.us*

Metropolitan Council

Notice of Request for Proposals (RFP) for Asset Management Services

Reference Number 08P174

The Metropolitan Council is soliciting Request for Proposals to provide Asset Management Strategies Implementation services.

| | |
|------------------------------------|--------------------------|
| <i>Issue Request for Proposals</i> | November 25, 2008 |
| <i>Proposals Due</i> | December 23, 2008 |
| <i>Award Contract</i> | January 2009 |

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail or phone request to:

Miriam Lopez-Rieth
Contracts and Procurement Unit
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101-1805
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: *Miriam.Lopez-Rieth@metc.state.mn.us*

Non-State Bids, Contracts & Grants

University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/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 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.

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660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155
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For Your Convenience, photocopy this order blank

| Code No. | Quantity | Description | Item Price | Total |
|---|----------|-----------------|---|--|
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| Name or Company | | | Subtotal | |
| Attention | | | 6½ % tax MN residents 7% St. Paul residents | |
| Address | | | | |
| City | | State | Zip | Add Shipping Charges from chart at left. |
| American Express/VISA/MasterCard/Discover No. | | | TOTAL | |
| Signature | | Expiration Date | Telephone (During Day) | |

If tax exempt, please provide ES number or send completed exemption form.

Source Code SR007