State of Minnesota

State Register



Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants
Published every Monday (Tuesday when Monday is a holiday)

Monday 8 November 2010 Volume 35, Number 19 Pages 715 - 736

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's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. The State Register contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules

- · Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations

- Commissioners' Orders
- Revenue Notices

- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

	Pri	nting Schedule and Submission Deadlines	
Vol. 35 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 Adopted and Exempt RULES	
# 19 # 20 # 21 # 22	Monday 8 November Monday 15 November Monday 22 November Monday 29 November	Noon Tuesday2NovemberNoon Wednesday27OctoberNoon Tuesday9NovemberNoon Wednesday3NovemberNoon Tuesday16NovemberNoon Wednesday10NovemberNoon Tuesday23NovemberNoon Wednesday17November	

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- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.

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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. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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Expedited Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for normal 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 conditions. Expedited rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain conditions.

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

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

Minnesota Plumbing Board

Proposed Expedited Permanent Rules Relating to Plumbing Code; Nonwater Urinals

NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING Proposed Expedited Permanent Rules Relating to the Minnesota Plumbing Code; *Minnesota Rules*, Chapter 4715.0100, subps. 38 and 74a, 4715.0200, clause S, 4715.0950, 4715.1410; Nonwater Urinals

Introduction. The Minnesota Plumbing Board ("Board") intends to adopt standards for waterless urinals, including their installation and maintenance under the legislatively granted expedited rulemaking process. *Laws of Minnesota 2010*, Chapter 347, Article 3, Section 73. You may submit written comments on the proposed expedited rules until December 8, 2010.

Board Contact Person. You must submit comments or questions on the rules to: Colleen Chirhart for the Minnesota Plumbing Board at the Department of Labor and Industry, CCLD, 443 Lafayette Road N., St. Paul, Minnesota 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, or e-mail at: *colleen.chirhart@state.mn.us*. **TTY** users may call the Department of Labor and Industry at (651) 297-4198.

Subject of the Expedited Rules and Statutory Authority. The proposed expedited rules amend Chapter 4715.0100, subp. 38 and 74a, 4715.0200, clause S, 4715.0950, and add part 4715.1410, to incorporate standards for waterless urinals, including their installation and maintenance. The Board intends to amend rules incorporating waterless urinals using the expedited rulemaking process set out in the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410 and the Administrative Procedure Act, *Minnesota Statutes*, Section 14.389. The authority to adopt these proposed rules under the expedited rulemaking process is found in *Laws of Minnesota 2010*, Chapter 347, Article 3, Section 73.

Minnesota Statutes, Section 326B.43 authorizes the Board to adopt and amend rules of minimum standards for plumbing. *Minnesota Statutes*, Section 326B.435 authorizes the Board to adopt and amend the plumbing code. A copy of the proposed rules will be published in the *State Register* and is attached to this notice as mailed. The proposed expedited rules may be viewed at:

http://www.dli.mn.gov/pb.asp

Comments. You have until 4:30 p.m. on Wednesday, December 8, 2010, 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 Board contact person above by the due date. The Board encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. Any comments you would like to make on the legality of the proposed rules must be made during this comment period.

Modifications. The Board may modify the proposed expedited rules using either of two avenues: The Board may modify the rules so long as the modifications do not make the rules substantially different as defined in *Minnesota Statutes*, Section 14.05, Subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the Board 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 Board must publish a copy of the changes in the State Register. If the proposed expedited rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the Board contact person at the address or telephone number listed above.

Expedited Rules =

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement 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 Board may adopt the rules at the end of the comment period. The Board will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the Board submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register to receive notice of future rule proceedings, submit your request to the Board contact person listed above. The rules will be effective 180 days after filing with the Secretary of State.

Dated: 27 October 2010

John Parizek, Chair Minnesota Plumbing Board

4715.0100 DEFINITIONS.

[For text of subps 1 to 37, see M.R.]

Subp. 38. **Dead end.** "Dead end" means a branch leading from a soil, waste, or vent pipe, building drain, or building sewer, or water distribution branch, and terminating at a developed length of two feet or more by means of a plug, cap, or other fitting.

[For text of subps 39 to 74, see M.R.]

Subp. 74a. Nonwater urinal. "Nonwater urinal" means a plumbing fixture that is designed to receive and convey only liquid waste through a trap seal into the gravity drainage system without the use of water for such function.

[For text of subps 75 to 128, see M.R.]

4715.0200 BASIC PLUMBING PRINCIPLES.

This code is founded upon certain basic principles of environmental sanitation and safety through properly designed, acceptably installed and adequately maintained plumbing systems. Some of the details of plumbing construction may vary but the basic sanitary and safety principles desirable and necessary to protect the health of the people are the same everywhere. As interpretations may be required, and as unforeseen situations arise which are not specifically covered in this code, the twenty three principles which follow shall be used to define the intent.

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

S. Each fixture shall be provided with a separate, accessible, self-scouring, reliable water-seal trap placed as near to the fixture as possible.

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

4715.0950 TRAP SEALS.

Fixture traps shall have a <u>water liquid</u> seal depth of not less than two inches and not more than four inches, except where, under special conditions, a trap with a deeper seal may be found necessary by the administrative authority.

The horizontal length of the seal of any fixture trap shall not exceed six inches where the waste pipe required is two inches or less in diameter.

Traps shall be set true and level with respect to their water liquid seals and where necessary shall be protected from freezing.

4715.1410 URINALS.

Subpart 1. Prohibited urinals. Floor-type trough urinals are prohibited.

Subp. 2. **Nonwater urinals.** Nonwater urinals must comply with ASME A112.19.19-2006. Where a nonwater urinal is installed, a water-supplied fixture must be installed upstream of the nonwater urinal at the end of the same drainage branch. The water distribution system must be designed to allow for replacement of nonwater urinals with water-supplied urinals without dead ends.

Each nonwater urinal must be separately trapped by a nonpetroleum liquid seal that is lighter than water to protect from odor escape or evaporation of the trap contents. Metallic traps or traps with elastomeric membranes for nonwater urinals are prohibited.

Expedited Rules

Nonwater urinals that meet the requirements of this part are exempt from fixture trap requirements described in parts 4715.0900 and 4715.0960.

The owner of each nonwater urinal must ensure that the urinal is cleaned and maintained in strict compliance with the manufacturer's requirements.

EFFECTIVE DATE. These amendments are effective 180 days after the filing of the amendments with the secretary of state.

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.

Important Announcements

The Official Notices section gives you a "heads up" on important state meetings and announcements. The *State Register* reaches a huge audience of interested "eyes" every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it's the least expensive legal advertising in the state.

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Official Notices =

Minnesota State Agricultural Society (STATE FAIR) Notice of Meeting of the Board of Managers November 10, 2010

MINNESOTA STATE FAIRGROUNDS – The Minnesota State Agricultural Society board of managers will meet at 9:00 a.m. Wednesday, Nov. 10 at the Libby Conference Center on the State Fairgrounds. The session opens with a meeting of the board's sales committee. A general business meeting will follow. The Society is the governing body of the Minnesota State Fair. Agendas are available upon request by calling the Minnesota State Fair at (651) 288-4400.

The 2011 Minnesota State Fair will run Aug. 25 through Labor Day, Sept. 5.

Department of Employment and Economic Development (DEED) Minnesota State Rehabilitation Council Applications Sought for Appointments

The Minnesota State Rehabilitation Council (SRC) is seeking applicants for two openings; current or former applicants for or recipients of vocational rehabilitation services and a representative of a disability advocacy group. The State Rehabilitation Council advises the state on employment services for persons with disabilities and participates in assessment of the state's Vocational Rehabilitation Program. Members are appointed by the Governor. The Council is particularly interested in seeking applications from traditionally underserved cultural and ethnic groups.

The council meets 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 state-wide representation of persons with disabilities, Vocational Rehabilitation Program consumers, business, industry, advocates, labor, vocational rehabilitation counseling and others. More information can be obtained from Gail Lundeen, State Rehabilitation Council, Department of Employment and Economic Development, Rehabilitation Services, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, Minnesota 55101-135; phone: (651)-259-7364 (800) 328-9095, or email her at: gail.lundeen@state.mn.us. TTY: 1-800-657-3973; Applications are taken by the Secretary of State and available on the internet at: www.sos.state.mn.is/openapp/forms.html .

Department of Health (MDH)

Division of Compliance Monitoring Managed Care Systems Section

Notice of Application for Essential Community Provider Status for Western Mental Health Center

NOTICE IS HEREBY GIVEN that an application for designation as an Essential Community Provider (ECP) has been submitted to the Commissioner of Health by Western Mental Health Center, Inc., 1212 E. College Dr., Marshall, MN 56258.

An ECP is a health care provider that serves high-risk, special needs, and underserved individuals. In order to be designated as an ECP, a provider must demonstrate that it meets the requirements of *Minnesota Statutes* Section 62Q.19 and *Minnesota Rules* Chapter 4688. The public is allowed 30 days from the date of the publication of this notice to submit written comments on the application. The commissioner will approve or deny the application once the comment period and compliance review is complete.

For more information contact:

Mary Ann Fena Managed Care Systems Section Division of Compliance Monitoring

Official Notices

Department of Health P.O. Box 64882 St. Paul, MN 55164-0882 **Phone:** (651) 201-5164

Minnesota Department of Human Services (DHS) Minnesota Board on Aging

Notice of Alzheimer's Disease Working Group Meeting November 10, 2010

NOTICE IS HEREBY GIVEN that a meeting of the Alzheimer's Disease Working Group, established by *Laws of Minnesota 2009*, Chapter 159, Section 110, will be held from 2:30 to 4:30 p.m. on November 10, 2010. The meeting will be held at the State Office Building, 100 Rev. Dr. Martin Luther King, Jr. Blvd., Saint Paul to consider matters which may properly come before the Working Group.

For additional information, please call John Selstad at (651) 431-2558.

Executive Council State Board of Investment Land Exchange Board Investment Advisory Council

Official Notice of Meetings November 16, 2010 and Dec. 1, 2010

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 1, 2010 at 2:00 P.M. in Room 123, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, November 16, 2010 at 12:00 Noon at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

Minnesota Pollution Control Agency (MPCA)

Regional Division

Public Notice of Availability of Draft Jessie Lake Nutrient TMDL Report and Request for Comment

Public Comment Period Begins: November 8, 2010
Public Comment Period Ends: December 8, 2010

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Jessie Lake Nutrient Total Maximum Daily Load (TMDL). The draft TMDL Report for Jessie Lake is available for review at:

http://www.pca.state.mn.us/water/tmdl/project-jessielake-nutrients.html

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30pm on December 8, 2010.

Official Notices =

Required by the Federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions. Jessie Lake, located in Northwestern Itasca County, is an impaired water under section 303(d) of the Federal Clean Water Act. Water quality monitoring on Jessie Lake indicates excessive levels of phosphorus, a nutrient that can cause nuisance to severe algae blooms that inhibit recreation activities such as swimming, boating, and fishing.

The Jessie Lake watershed is about 32.4 square miles of primarily forest land in the Big Fork River Watershed, a subwatershed of the larger Rainy River basin. The Lake has a surface area of 1,723 acres with an average depth of 22.9 feet and a maximum depth of 40 feet. Jessie Lake lies within the Chippewa Sand Plains, a sub-region of the Northern Lakes and Forest Ecoregion.

The state placed Jessie Lake on the 2004 impaired waters list for aquatic recreation because it exceeds the water quality standard for nutrients. Excess nutrients such as phosphorus create poor water quality conditions causing frequent summer algal blooms, which limit recreational activities. A reduction of 23 percent in phosphorus loading to Jessie Lake would be required to consistently meet water quality standards under average precipitation conditions. In-lake phosphorus load management and the reduction of phosphorus from runoff in the watershed by retrofitting best management practices (BMP) would have the most impact on reducing phosphorus loads and improving water quality in Jessie Lake.

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Nolan Baratono Minnesota Pollution Control Agency 909 Riverside Drive International Falls, MN 56649

Phone: (218) 283-2240

Minnesota Toll Free: 1-800-657-3864

Fax: (218) 723-4727

E-mail: nolan.baratono@state.mn.us

Preliminary Determination on the draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site:

http://www.pca.state.mn.us/water/tmdl/project-jessielake-nutrients.html

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL report or on the Commissioner's preliminary determination. Written comments must include the following:

- 1. A statement of your interest in the draft TMDL Report;
- 2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
- 3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

- 1. A statement identifying the matter of concern;
- 2. The information required under items 1 through 3 of "Written Comments," identified above;
- 3. A statement of the reasons the MPCA should hold a public informational meeting; and
- The issues that you would like the MPCA to address at the public informational meeting.

- Official Notices

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

- 1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
- 2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
- 3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

- 1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and;
- 2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

- 1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
- 2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
- 3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) considers the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

- 1. The Commissioner grants the petition requesting the matter be presented to the Board;
- 2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
- 3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

Department of Transportation (Mn/DOT)

Engineering Services Division,
Office of Construction and Innovative Contracting
Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN

Riley Bros. Construction Inc. and its affiliates, Morris MN

Riley Bros. Properties, LLC, and its affiliates, Morris MN

Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

Official Notices

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN John Thomas Riley, Morris, MN

Minnesota Statutes, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

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 soliciations (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

Opportunities in Government

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- · Word Search Capability
- · Updates to Index to Vol. 31
- · LINKS, LINKS, LINKS
- "Contracts & Grants" Open for Bid
- Easy Access to State Register Archives

- Early delivery, on Friday
- E-mailed to you . . . its so easy
- Indexes to Vols. 31, 30, 29, 28 and 27

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** *loretta.diaz@state.mn.us*

Minnesota State Colleges and Universities (MnSCU)

St. Cloud State University (SCSU)

Advertisement for Request for Proposals for Architectural Design Services - Building Shell Repair

Sealed Proposals for: Architectural Design Services

Stewart Hall

Building Shell Repair

will be received by: Lisa Sparks, Director of Purchasing

720 4th Avenue South, AS 122 St. Cloud State University St. Cloud, MN 56301

Until 3:00 local time, November 30 at which time the proposals will be opened.

Project Scope: In 2008, SCSU hired the Judd Allen Group to identify why windows had been leaking in the 1988 addition to Stewart Hall. The report concluded (in general terms) that the cause of the leaking was improper flashing and an intermittent vapor barrier system. Coupled with these issues was excessive chloride content in the mortar, necessitating having to remove all of the brick, repair the sheathing/vapor barrier system and re-clad the building in an alternate cladding system, to be further investigated as further described in the RFP.

The Architect will be asked to:

- 1. Assist the Owner in developing an alternate cladding material system to replace the removed brick from the exterior walls of portions of Stewart Hall.
- 2. Lead the effort to identify the exact scope of the failures in the sheathing/vapor barrier system via additional suggested testing
- 3. Present several different wall sections (complete with budgets) schematically illustrating how the re-cladding would fit in with the building's existing architecture.
- 4. Create budgets at the end of Schematic Design, Design Development and 95% complete Construction Documents. Track budgets as the project matures.
- 5. Create the MnSCU-required documents (SD, DD & 95% CD's) as pertains to this type of project. Current MnSCU requirements are at http://www.finance.mnscu.edu/facilities/design-construction/index.html.

Anticipated Construction budget: \$3,851,000

Anticipated 95% Complete Construction Documents date: July 2011

The Request for Proposal is available by contacting Lisa Sparks via e-mail at: LKsparks@stcloudstate.edu

Legislative Coordinating Commission (LCC)

Contract Available for Providing Voice-to-Text Captioning Services for the MN State Legislature

The Minnesota Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing voice-to-text captioning services of the 2011 legislative session for the Minnesota State Legislature. For a copy of the full text of the RFP, please go to https://www.lcc.leg.mn/lcc/RFPs.htm or contact:

Diane Henry-Wangensteen

Minnesota Legislative Coordinating Commission

Room 72 State Office Building

100 Rev. Dr. Martin Luther King, Jr. Blvd.

St. Paul, MN 55155-1298 **Phone:** (651) 296-1121 **E-mail:** diane.henry@lcc.leg.mn

All proposals must satisfy the criteria as outlined in the full text of the RFP.

Proposals must be received by November 23, 2010 at 4:00 p.m. Late applications may not be accepted. All expenses incurred in responding to this notice shall be borne by the responder.

Department of Natural Resources (DNR)

Management Resources

Notice of Availability of Contract for Engineering Services for the Proposed Canisteo Mine Pit-Prairie River Outflow Project

CERTIFICATION #: 23566 Amount of proposed contract: \$100,000

The Minnesota Department of Natural Resources_is requesting proposals for the purpose of procuring engineering services for the preparation of a Feasibility/Alternatives Analysis Report for the proposed Canisteo Mine Pit-Prairie River Outflow Project.

Work is proposed to start after January 14, 2011.

A Request for Proposals will be available by mail from this office through November 17, 2010. A written request (by direct mail or fax) is required to receive the Request for Proposal. After November 17, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Glen Bengtson, PE

MNDNR

Management Resources 500 Lafayette Road

Box 29

St. Paul, MN 55155 **Fax:** (651) 297-5818

E-mail: glen.bengtson@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 **4:00 p.m., November 30, 2010**. 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)

Management Resources Bureau

Notice of Request for Information (RFI) Regarding Safety Information Management Systems

The Minnesota Department of Natural Resources (DNR) is engaged in an effort to automate its safety information management processes and information. The DNR expects that there is a commercial-off-the-shelf software (COTS) product that can satisfy most of its requirements. The RFI is being issued to obtain information about potential software vendors, the products they offer, and the approximate cost of those products. DNR business objectives and high-level software requirements are outlined in the RFI document.

Interested software vendors are invited to review the RFI and submit information about 1) how the requirements might be satisfied and 2) at what approximate cost. The information gathered from the RFI responses will help DNR plan future investments in safety information management technology. Following the review of RFI responses, DNR may invite respondents to conduct follow-up presentations for DNR staff.

The RFI will be available on the DNR website from November 1, 2010 through November 19, 2010. It contains instructions governing the form and content of responses and describes a process in which potential respondents may ask questions before preparing their responses. Interested parties may access it at: www.mndnr.gov/rfp or request a copy from:

Terry Lahti Management Resources Bureau – Box 16 500 Lafayette Road St. Paul, MN 55155

E-mail: terry.lahti@state.mn.us

Electronic responses to the RFI should be received no later than **Tuesday**, **November 23**, **2010 at 4:30 p.m. CST** to e-mail address: *Christine.norton@state.mn.us*

Late responses will not be considered.

This RFI is NOT a request for proposal, bid, or quotation. The RFI does not obligate the State to award a contract or proceed with the project. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general

organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website (www.dot.state.mn.us/consult) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator

E-mail: melissa.mcginnis@state.mn.us

Telephone: (651) 366-4644

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 Kelly Arneson 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.

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:

Kelly Arneson Consultant Services Office of Technical Support Minnesota Department of Transportation 395 John Ireland Blvd. Mail Stop 680 St. Paul, MN 55155

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)

Modal Planning & Program Management Division Request for Proposals (RFP) for a Minneapolis-St. Paul, MN to Milwaukee, WI High Speed Rail Corridor Tier 1 EIS Study

Mn/DOT requests proposals for services of a qualified and experienced transportation consultant or consultant team to complete a Federal Railroad Administration (FRA) Tier-1 Environmental Impact Statement for the Minneapolis-St. Paul, Minnesota to Milwaukee, Wisconsin high speed rail corridor.

This project is in partnership with the Wisconsin Department of Transportation (WisDOT) and will be funded with Minnesota and Wisconsin state funds and federal grant funds (Federal Railroad Administration's High Speed Intercity Passenger Rail (HSIPR) grant). Therefore, submissions for this RFP must adhere to all pertinent federal, state and local requirements.

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

The full RFP can be viewed on the Consultant Services Web Page at: www.dot.state.mn.us/consult 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:

Melissa McGinnis, Contract Administrator
E-mail: melissa.mcginnis@state.mn.us

Telephone: (651) 366-4644

Note: RESPONSES WILL BE DUE ON DECEMBER 6, 2010, AT 2:00PM CENTRAL STANDARD TIME.

Minnesota Department of Transportation (Mn/DOT)

Office of Transit

Planning, Modal and Data Management Division Notice of Intent to Release State Management Plans

Notice of Intent to Release drafts of three State Management Plans (SMPs) for review and public comment. The Federal Transit Administration (FTA) requires Mn/DOT, the direct grant recipient for these funding programs to develop SMPs for each federally funded

program. The SMPs are the guiding management plans that identify how Mn/DOT is going to implement these federal programs in Minnesota.

Mn/DOT Office of Transit is releasing for review and comment the draft State Management Plans for:

- Section 5311 Non Urbanized Public Transit Program
- · Section 5316 Job Access Reverse Commute (JARC) Program
- · Section 5317 New Freedom Program

The review notice has been distributed per the guidance of the federal circular(s). The comment period will close on Wednesday, November 24th, 2010. We welcome your review and comments.

The three drafts of the State Management Plans will be available for viewing on the Mn/DOT Office of Transit Website at:

www.dot.state.mn.us/transit

If you have questions or would like to comment on the drafts of the State Management Plans, please direct them to:

For Section 5311 - Non Urbanized Public Transit Program

Sarah Lenz

395 John Ireland Blvd., MS 430

St. Paul, MN 55155

Phone: (651) 366-4177 **E-mail:** *sb.lenz@state.mn.us*

For Section 5316 - Job Access Reverse Commute (JARC) Program

or

For Section 5317 – New Freedom Program John Groothuis 395 John Ireland Blvd., MS 430

St. Paul, MN 55155 **Phone:** (651) 366-4187

E-mail: john.groothuis@state.mn.us

Minnesota Zoo

Request for Proposals for Bird Cages and Associated Release Mechanisms

The Minnesota Zoo has received funding as part of the Heart of the Zoo project to provide cages and associated release mechanisms to be used during the KAYTEE® World of Birds Show located in the Target Learning Center.

This project will include the design, fabrication, and installation of metal bird cages, release mechanisms and associated controls that will allow each individual cage the ability to open and close both remotely and manually.

Details are included in the complete Request for Proposals which is available by e-mailing Derik Otten Minnesota Zoo Project Manager at: derik.otten@state.mn.us The deadline for submitting a proposal is 11:00AM., CST, November 23st, 2010.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

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 futher details.

Central Marketplace for Contracts

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: *robin.panlener@state.mn.us*. Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

Metropolitan Airports Commission (MAC)

Proximate to Minneapolis-Saint Paul International Airport Notice of Call for Bids for FAA 2010 Building Improvements

MAC Contract No.: 106-3-454

Bids Close At: 2:00 p.m. November 16, 2010

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

This project consists of General, Mechanical, and Electrical work.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 4%.

Bid Security: Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Miller Dunwiddie Architecture, Inc.; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Miller Dunwiddie Architecture, Inc.; 123 North Third Street, Suite 104; Minneapolis, Minnesota 55401; **phone:** (612) 337-0000; **fax:** (612) 337-0031. Make checks payable to Miller Dunwiddie Architecture, Inc. Deposit per set (refundable) \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of drawings, specifications, and addenda in good condition within (10) days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on October 25, 2010, at MAC's web address of *www.metroairports.org/business/solicitations* (construction bids).

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.

Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155 (1 block east of I-35E Bridge, 1 block north of University Ave.)

FREE PARKING

Phone: (651) 297-3000; Fax: (651) 215-5733 E-mail: http://www.minnesotasbookstore.com

WE ARE 'MAP CENTRAL''

--- WE HAVE <u>THOUSANDS</u> OF MAPS ---

NEW: Mn/DOT has reissued their County Maps - in *FULL COLOR* - We have them at \$1.00 per map

Woodworking for Wildlife - updated, Stock No. 275, \$19.95

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*, Along with designs for 28 different nest box rojects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. Woodworking for Wildlife was printed in Minnesota on recycled paper manufactured in Cloquet and certified by the Forest Stewardship Council.

Newly Updated Laws, Rules & Manuals:

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