

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**  
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# State Register

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

The *State Register* is the official publication of the State of Minnesota'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- Withdrawn Rules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

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# 12	Monday 10 October	Noon Tuesday 4 October	Noon Wednesday 28 September
# 13	Monday 17 October	Noon Tuesday 11 October	Noon Wednesday 5 October
# 14	Monday 24 October	Noon Tuesday 18 October	Noon Wednesday 12 October

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<b>Governor:</b> Mark Dayton (651) 296-3391	<b>Administration Commissioner:</b> Spencer R. Cronk (651) 201-2555	<b>State Register editor:</b> Robin PanLener (651) 297-7963
<b>Lieutenant Governor:</b> Yvonne Prettnier Solon (651) 296-3391	<b>Plant Management Division:</b> David Fielding (651) 201-2350	<b>Assistant editor:</b> John Mikes (651) 297-4616
<b>Attorney General:</b> Lori Swanson (651)296-6196	<b>Minnesota's Bookstore:</b> Mary Mikes (651) 297-3979	<b>Subscriptions Manager:</b> Loretta J. Diaz (651) 297-8777
<b>Auditor:</b> Rebecca Otto (651) 296-2551		
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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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# 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 (MPCA)

### Municipal Division

### Proposed Permanent Rules Relating to Financial Assurance at Certain Types of New Landfills

#### Notice of Intent to Adopt Landfill Financial Assurance Rules WITHOUT A PUBLIC HEARING Proposed Amendment to *Minnesota Rules*, Chapter 7035 (Amending Parts 7035.2525 Solid Waste Management Facilities Governed; 7035.2665 Scope; 7035.2695 Financial Assurances Required; and 7035.2755 Use of Multiple Financial Assurance Mechanisms; and Adding New Part 7035.2751 Proposals for Nonstandardized Financial Assurance Mechanisms; Facilities Initially Permitted After January 1, 2011)

**Introduction.** The Minnesota Pollution Control Agency (Agency) 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. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until November 4, 2011.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the Agency contact person. The Agency contact person is: Nathan Cooley at the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, MN 55155, and **phone:** (651) 757-2290, **fax:** (651) 297-8676, and **e-mail:** [nathan.cooley@state.mn.us](mailto:nathan.cooley@state.mn.us). **TTY** users may call the Agency contact person at TTY phone: (651) 282-5332.

**Subject of Rules and Statutory Authority.** The Agency is revising existing rules to address two legislative directives, each requiring it to improve siting and financial assurance standards for landfills. The Agency split this into two separate rulemakings; this one addresses changes in financial assurance intended to better protect the environment and taxpayers.

The Agency has general authority to adopt and amend existing solid waste rules under *Minnesota Statute* § 116.07, subd. 2 and subd. 4(b). Additionally, in May 2008 and May 2010, the Legislature amended *Minnesota Statute* § 116.07, subds. 4(c) and 4h(d), requiring the Agency to improve the protection afforded by financial assurance. Specifically, subd. 4(c) says that the financial assurance rules must require that a solid waste disposal facility subject to them maintain financial assurance so long as the facility poses a potential environmental risk to human health, wildlife, or the environment. Subd. 4h(d) requires the Agency to consult with the Commissioner of Management and Budget for guidance on the forms of financial assurance that are acceptable for private owners and public owners, and in carrying out



# Proposed Rules

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a periodic review of the adequacy of financial assurance for solid waste disposal facilities, and to allow financial mechanisms to public owners of solid waste disposal facilities that are appropriate to their status as subdivisions of the state. The Legislature also directed the Agency to consult with experts and interested persons on financial assurance adequacy for solid waste facilities, including staff from the Department of Natural Resources, Minnesota Management and Budget, local governments, private and public landfill operators, and environmental groups to determine the adequacy of existing financial assurance rules to address environmental risks, the length of time financial assurance is needed, based on the threat to human health and the environment, the reliability of financial assurance in covering risks from land disposal of waste in Minnesota and other states, and the role of private insurance. The Agency is complying with this legislative authority in publishing these rules.

*Minnesota Statute* § 14.125, allows agencies to amend existing rules and requires agencies to propose rules within 18 months of receiving specific legislative authorization (by November 17, 2011). A copy of the proposed rules is published in the *State Register* and posted on the Agency's Notices webpage.

**Comments.** You have until 4:30 p.m. on Friday, November 4, 2011, to submit written comment in support of or in opposition to any element of the proposed rules. Your comment must be in writing and the Agency contact person must receive it by the close of the comment period. The Agency encourages comment on any aspect of the rules. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Agency hold a public hearing on the rules. Your request must be in writing and the Agency contact person must receive it by the close of the comment period. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Agency cannot count it when determining whether it must hold a public hearing. 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, the Agency will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes*, §§ 14.131 to 14.20.

**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 Agency contact person at the address or telephone number listed above.

**Modifications.** The Agency may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the Agency, and the adopted rules may not be substantially different than these proposed rules, unless the Agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Agency encourages you to participate in the rulemaking process.

**Statement of Need and Reasonableness.** The Statement of Need and Reasonableness attempts to provide rationale for the proposed rules. It describes who will likely be affected and estimates the probable costs of the proposed rules. It is now available from the Agency contact person. You may review it or obtain copies by contacting the Agency contact person.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about 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 Rules.** If no hearing is required, the Agency may adopt the rules after the end of the comment period. The Agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Agency submits the rules to the Office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Agency to receive notice of future rule proceedings, submit your request to the Agency contact person listed above.

Date

Paul W. Aasen, Commissioner

## **7035.2525 SOLID WASTE MANAGEMENT FACILITIES GOVERNED.**

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

Subp. 2. **Exceptions.** Parts 7035.2525 to 7035.2915 do not apply to the following solid waste management facilities or persons, except as indicated:

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

F. industrial solid waste land disposal facilities, except that those receiving an initial permit after January 1, 2011, must comply with parts 7035.2615 to 7035.2805;

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

## **7035.2665 SCOPE.**

Parts 7035.2685 to 7035.2805 apply to owners and operators of:

A. mixed municipal solid waste land disposal facilities and;

B. municipal solid waste combustor ash land disposal facilities; and

C. the following facilities that received an initial permit after January 1, 2011: an industrial waste land disposal facility and a demolition debris land disposal facility, except those solid waste land disposal facilities that accept only demolition and construction debris and incidental nonrecyclable packaging and certain industrial wastes limited to wood, concrete, porcelain fixtures, shingles, or window glass resulting from the manufacture of building materials.

## **7035.2695 FINANCIAL ASSURANCES REQUIRED.**

A. The owner or operator of a mixed municipal solid waste land disposal facility or a municipal solid waste combustor ash land disposal facility that received an initial permit prior to January 1, 2011, shall establish financial assurance for closure, postclosure care and corrective action at the facility by using one or more of the financial assurance mechanisms specified in parts 7035.2705 to 7035.2750.

B. For facilities that received an initial permit after January 1, 2011, the owner or operator of a mixed municipal solid waste land disposal facility, a municipal solid waste combustor ash land disposal facility, an industrial waste land disposal facility, or a demolition debris land disposal facility, except those solid waste land disposal facilities that accept only demolition and construction debris and incidental nonrecyclable packaging and certain industrial wastes limited to wood, concrete, porcelain fixtures, shingles, or window glass resulting from the manufacture of building materials, shall establish financial assurance for closure, postclosure care, and corrective action at the facility by using one or more of the standardized financial assurance mechanisms specified in parts 7035.2705 to 7035.2745, or alternatively may propose a nonstandardized financial assurance mechanism under part 7035.2751 for approval by the commissioner. These facilities must maintain financial assurance as long as the facility poses a potential environmental risk to human health, wildlife, or the environment, as determined by the agency following an empirical assessment conducted under part 7035.2655.

## **7035.2751 PROPOSALS FOR NONSTANDARDIZED FINANCIAL ASSURANCE MECHANISMS; FACILITIES INITIALLY PERMITTED AFTER JANUARY 1, 2011.**

### Subpart 1. Criteria for nonstandardized financial assurance mechanisms.

A. A nonstandardized financial assurance mechanism must meet the criteria in items B to E to be approved for use.

B. The mechanism must ensure that funds sufficient to cover the estimated costs of closure, postclosure care, and corrective action are available at all times.

C. The mechanism must be such that the funds will be available and immediately payable directly into the standby trust fund according to instructions from the commissioner. The standby trust fund must meet the requirements in part 7035.2705 and an originally signed duplicate of the trust agreement must be submitted to the commissioner along with the mechanism.

D. The mechanism must be fully valid, binding, and enforceable under state and federal law.

# Proposed Rules

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E. The financial assurance mechanism must be drafted so that the financial assurance funds will not be assets in any bankruptcy proceeding filed by the permittee and will remain accessible by the commissioner throughout the bankruptcy reorganization or discharge.

**Subp. 2. Evaluation; approval or disapproval.**

A. All terms and conditions of a nonstandardized financial assurance mechanism must be approved by the commissioner. When the commissioner determines that the agency would benefit from an expert opinion on the adequacy of a proposed nonstandardized financial assurance mechanism, the commissioner shall retain an independent expert acceptable to the commissioner to evaluate the mechanism, at the owner's or operator's expense, to determine if the mechanism meets the criteria of subpart 1. The independent expert must have documented experience in the analysis of risk and the use of financial instruments used as guarantees such as bonds, letters of credit, and insurance. Prior to permit reissuance, the commissioner may require reevaluation of the nonstandardized financial assurance mechanism.

B. If a proposed nonstandardized financial assurance mechanism is disapproved by the commissioner, the operator or owner may submit an application for an alternative nonstandardized financial assurance mechanism or provide standard financial assurance under parts 7035.2705 to 7035.2745.

**7035.2755 USE OF MULTIPLE FINANCIAL ASSURANCE MECHANISMS.**

An owner or operator may satisfy the requirements of part 7035.2695 by establishing more than one mechanism for financial assurance per facility. For facilities that received initial permits before January 1, 2011, these mechanisms are limited to trust funds, surety bonds guaranteeing payment into a trust fund, self-insurance, and letters of credit. For facilities that received initial permits after January 1, 2011, these mechanisms are limited to trust funds, surety bonds guaranteeing payment into a trust fund, letters of credit, and nonstandardized financial assurance mechanisms approved by the commissioner. The mechanisms must be established as specified in parts 7035.2705, 7035.2715, 7035.2720, 7035.2725, 7035.2745, ~~and 7035.2750, and 7035.2751~~, except that it is the combination of mechanisms, rather than a single mechanism, which must provide financial assurance for an amount at least equal to the sum of the current cost estimates. If an owner or operator uses a trust fund in combination with a surety bond or a letter of credit, the owner or operator may also use the trust fund as the standby trust fund for the other mechanisms. A single standby trust fund may be established for two or more mechanisms. The commissioner may use any or all of the mechanisms to provide for closure, postclosure care, or corrective action at the facility.



# Appointments

*Minnesota Statutes*, Section 15.06, Subd. 5. requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

## Minnesota Office of Higher Education (OHE) Notice of Appointment of Acting Director Susan Von Mosch

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Mark Dayton appointed Susan Von Mosch to the office of Acting Director of the Minnesota Office of Higher Education effective September 21, 2011. She replaces Sheila Wright who was appointed Director of the Minnesota Office of Higher Education January 26, 2011.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Office of Higher Education are:

- *Minnesota Statutes*, Chapters 136A
- *Minnesota Rules* 4800-4880

Acting Director Von Mosch resides at 748 Nevada Avenue West, Saint Paul, Minnesota 55117, Ramsey County, Congressional District 4.

She can be reached at the Minnesota Office of Higher Education, 1450 Energy Park Drive, Suite 350, St. Paul, MN 55108-5227. Telephone (651) 642-0567. **Web site:** <http://www.mheso.state.mn.us> or <http://www.getreadyforcollege.org> **E-mail:** [info@ohe.state.mn.us](mailto:info@ohe.state.mn.us)

## 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 and Meetings

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a large 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.

All Official Notices, including the current volume as it grows, are indexed. Only subscribers can view this current index. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized “Contracts & Grants” section showing bids and grants still open.

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## Department of Human Services (DHS)

### Continuing Care Administration

### Corrected Public Notice Regarding Change in the Payment Rates and Methodologies Under the Medical Assistance Program

**CORRECTED NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of a certain statutory change made to the Medical Assistance (MA) Program that the 2011 Minnesota Legislature enacted during the special session. This notice correctly describes a change to nursing facility payment rates, and replaces the incorrect description in the seventh paragraph under the “Nursing Facility” provisions in the *State Register* notice published on August 29, 2011, titled “Department of Human Services, Health Care Administration: Public Notice Regarding Changes in the Payment Rates and Methodologies, and Services Under the Medical Assistance Program and the MinnesotaCare Program.”

This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The legislative change is estimated to result in a net decrease in federal and state spending of \$496,000 in the MA program for federal fiscal year 2012 (October 1, 2011 through September 30, 2012).

The text of the 2011 legislative change is contained in *Minnesota Laws 2011*, First Special Session, Chapter 9. This is available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). This law is also available on the internet at:

<http://www.revisor.leg.state.mn.us>

## **Minnesota Department of Human Services (DHS) Nursing Facility Payment Rate Change**

Effective July 16, 2011, the commissioner will no longer accept applications for planned bed closure rate adjustments. However, due to timelines necessary to provide adequate notice, applications for planned bed closure rate adjustments for nursing facilities will be accepted until **October 31, 2011**. *Minnesota Laws 2011*, First Special Session, Chapter 9, Article 7, Section 29.

Further information is available by contacting the Nursing Facility Rates and Policy Division, Minnesota Department of Human Services, P.O. Box 64973, St. Paul, MN 55164-0973; **phone** (651) 431-2280.

### **Notice of Comment Period for Minnesota's TANF State Plan**

Section 103(a) of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, amending Section 402(a) of Title IV of the Social Security Act, requires states to submit to the Secretary of the Department of Health and Human Services, a state plan that describes its TANF program.

In accordance with Sections 402(a) and (b), this notice serves as notification of the required 45-day period for public review and comment. The comment period begins on Tuesday, October 3, 2011 and ends at 4:30 p.m. on November 16, 2011. A draft copy of the Minnesota TANF State plan is available on the Minnesota State Register during the specified comment period.

Individuals may review and submit written comments by November 16, 2011 to:

Leila Farah  
Minnesota Department of Human Services  
Transition to Economic Stability Division  
P.O. Box 64951  
St. Paul, MN 55164-0951

Comments may also be sent via **e-mail** to [leila.farah@state.mn.us](mailto:leila.farah@state.mn.us) or by **FAX** at (651) 431-7526. A printed copy is available upon request.

For each written comment, please include the page number in the proposed TANF State Plan that your comment is about, and any suggestion to change the draft Plan.

If applicable, also include: Your agency/organization; and Your position title. Thank you.

## **Department of Human Services (DHS) Health Care Administration Public Notice Regarding Payment Rate and Methodology Changes Under the Medical Assistance Program**

**NOTICE IS HEREBY GIVEN** to recipients and enrollees, providers of services under the Medical Assistance (MA) Program and other Minnesota Health Care Programs, and to the public, that the Department of Human Services has updated the drug names and therapeutic areas listed on the Specialty Pharmacy Reimbursement Table which is posted on the DHS website effective September 28, 2011. This notice is published pursuant to 42 CFR §447.205, which requires public notice of significant proposed changes in methods and standards for setting payment rates for fee-for-service MA services.

# Official Notices

DRUG NAME OR CLASS	PAYMENT RATE (% OF WAC)
Drugs for Multiple Sclerosis	101.4%
Disease Modifying AntiRheumatic Drugs	101.4%
Hepatitis B and Hepatitis C	101.4%
Anemia, Neutropenia, Thrombocytopenia	101.4%
Enzyme Replacement	101.4%
GnRH agonists (gonadotropin-releasing hormone analog)	101.4%
Growth Hormone	101.4%
Hemophilia Blood Clotting Factors	84.0%
HIV Antivirals	101.4%
Immune Globulin	101.4%
Injectable Antipsychotics	101.4%
Monoclonal Antibody	101.4%
Oral Antineoplastic Agents	99.6%
Pulmonary Hypertension therapy (oral and inhaled)	101.4%
Actimmune	101.4%
Apokyn	101.4%
Forteo	101.4%
Hyalgan	101.4%
Octreotide	101.4%
Rituxan	101.4%
Sensipar	101.4%
Synvisc	101.4%
Thyrogen	101.4%
Xolair	101.4%
Zavesca	101.4%

Questions can be directed to Sara J. Drake, Pharmacy Program Manager, Minnesota Department of Human Services, Health Care Administration, PO Box 64984, St. Paul, MN 55164-0984; **phone:** (651) 431-2504.

## Metropolitan Council

### Public Hearing on Affordable and Life-Cycle Housing Goals for Communities Electing to Participate in the Livable Communities Housing Incentives Account Program for 2011 Through 2020

The Metropolitan Council will hold a public hearing to receive public comment on affordable and life-cycle housing goals with the municipalities electing to participate in the Metropolitan Livable Communities Housing Incentives Account Program for the period 2011 through 2020.

The public hearing will be held at 4:30 p.m., Monday, November 21, 2011 as part of the Community Development Committee meeting in the Metropolitan Council Chambers at 390 North Robert Street, St. Paul, Minnesota. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Jan Bourgoin (651) 602-1633 or (651) 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

In addition to speaking at the hearing, comments may be made in the following ways:

- Mail comments to: Paul Burns, Metropolitan Council, 390 Robert Street North, St. Paul, MN 55101
- Fax comments to: Paul Burns at (651) 602-1442
- Record comments on the Public Comment Line: (651) 602-1500
- Send comments electronically to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- TTY: (651) 291-0904
- Comments must be received by 4 p.m. Thursday, December 1, 2011

A copy of the affordable and life-cycle housing goals for communities choosing to participate in the Livable Communities Housing Incentive Account is available on the Metropolitan Council's website at:

<http://www.metrocouncil.org/services/livcomm/LCALocalHousingGoals2020.pdf>

or by calling the Council's Data Center at (651) 602-1140 or (651) 291-0904 (TTY).

### **Minnesota Management and Budget (MMB) Budget Services Division Notice of Rate for Provider Tax Research Credit**

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes* 295.53, Subdivision 4a and 4a(e), the research tax credit for companies subject to the gross earnings tax under *Minnesota Statutes* 295.52 shall be 1.5 percent of revenues for patient services used to fund expenditures for qualifying research conducted by an allowable research program in calendar year 2012.

For additional information, please call Angela Vogt, Executive Budget Officer, at (651) 201-8036.

Jim Schowalter, Commissioner  
Minnesota Management and Budget

### **Minnesota Management and Budget (MMB) Tobacco Securitization Authority Notice of Tobacco Securitization Authority Meeting**

**NOTICE IS HEREBY GIVEN** that the Tobacco Securitization Authority will meet on Friday, October 7, 2011, 8:00 A.M. in Room 2040 in the Stassen Building, 600 N. Robert St., St. Paul, MN 55146. The agenda for the meeting includes description of the authority, purpose of the authority, governance of the authority, powers of the authority, role and responsibilities of authority members, personal liability, election of officers, and resolution approving engagement of professionals.

For additional information contact:

Kristin Hanson, Assistant Commissioner - Treasury  
Department of Management & Budget  
**E-mail:** [kristin.hanson@state.mn.us](mailto:kristin.hanson@state.mn.us)

# Official Notices

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## Minnesota Pollution Control Agency (MPCA)

### Industrial Division

#### Public Notice of Intent to Issue National Pollutant Discharge Elimination System (NPDES) State Disposal System (SDS) Pesticide General Permit (PGP)

**Mosquito & Other Flying Insect Pest Control MNG87A000**

**Forest Canopy Pest Control MNG87B000**

**Aquatic Nuisance Animal Pest Control MNG87C000**

**Vegetative Pests & Algae Control MNG87D000**

**Public Comment Period Begins: October 3, 2011**

**Public Comment Period Ends: November 2, 2011**

#### Description of Permitted Activity

On January 18, 2011, the Minnesota Pollution Control Agency (MPCA) public noticed 4 separate NPDES/SDS Pesticide General Permits to address the following Use Patterns:-

- Mosquito and Other Flying Insect Pest Control (MNG870000, revised to MNG87A000).
- Forest Canopy Pest Control (MNG873000, revised to MNG87B000).
- Aquatic Nuisance Animal Pest Control (MNG874000, revised to MNG87C000).
- Vegetative Pests and Algae Control (MNG876000, revised to MNG87D000).

The comment period ended February 17, 2011. A request for an extension of the public comment period was granted until March 4, 2011, for Aquatic Nuisance Animal Pest Control and Vegetative Pests and Algae Control permits. Comments were received during the public comment period, and the current drafts are based on these comments as well as the U.S. Environmental Protection Agency (EPA) Draft Final Pesticide General Permit pre-published on April 1, 2011.

On January 11, 2009, the 6th Circuit Court of Appeals ruled that NPDES permits were required for all biological pesticide applications and chemical pesticide applications that leave a residue in water when such applications are made in or over, including near, waters of the United States. The Minnesota Pollution Control Agency (MPCA) is the authority for Clean Water Act permits in Minnesota and requests comments on the above listed Draft NPDES/SDS Pesticide General Permits. Permit coverage is for all people or entities discharging a pesticide to a water of the state under one of the above Use Patterns. Permit coverage will begin upon permit issuance for all entities performing the activities covered. Only entities that exceed a Threshold as listed in Section 1.4 of each permit are required to submit an application for permit coverage, or Notice of Intent (NOI). Operators who are considered Decision-makers as defined in the permit required to submit a NOI must do so 6 months after permit issuance during the first year of coverage but no later than 9 months. This allows MPCA time to develop an electronic NOI acceptance and Notice of Coverage (NOC) issuance process. If discharge begins 9 months after permit issuance or later in the permit term, Permittees must submit a NOI in accordance with Section 4 of the permit. Those that do not exceed the Threshold will need to comply with the basic permit components, but are not required to submit a NOI.

All Operators must minimize discharges to waters of the state. This include using the lowest effective amount of pesticide and optimal frequency of application, following the product label, maintaining equipment to prevent leaks and spills and to ensure effective application, and monitoring to record the amount of pesticides used and the area where they are applied to determine when/if the Threshold will be exceeded. Visual assessments are also required during pesticide application to identify adverse effects to non-target organisms. If there are adverse effects from pesticide application, the permittee must call the Duty Officer and take corrective actions to minimize the effects. More details can be found in the Draft Pesticide General Permits.

Decision-makers that exceed the Threshold must submit an NOI and will receive a NOC from the MPCA. Based on the size of their organization, Decision-makers must also implement Pesticide Management Measures (PMM) and develop a Pesticide Discharge Management Plan (PDMP). PMM have the Decision-makers identify the problem, develop pest management strategies, and apply pesticides in a manner that minimizes environmental impact. Any existing evaluations and plans can be used in the PDMP, as long as they fulfill the requirements of the permit. Again, more details can be found in each Draft Pesticide General Permits.

#### Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to issue this NPDES/SDS permit for a term of approximately five years.



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## Official Notices

A draft permit is available for review at the MPCA office at the St. Paul address listed below and on-line at

<http://www.pca.state.mn.us/news/data/index.cfm?PN=1>

or at the Pesticide NPDES Permit Program website at

<http://www.pca.state.mn.us/index.php/water/water-permits-and-rules/water-permits-and-forms/pesticide-mpdes-permit-program.html>

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request (if applicable) at this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Elise Doucette at (651) 757-2316 or by e-mail at [elise.doucette@state.mn.us](mailto:elise.doucette@state.mn.us).

### Written Comments

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

1. A statement of your interest in the permit application or the draft permit.
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed.
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.
4. The issues that you would like the MPCA to address at the public informational meeting.

### 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 permit; (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 permit. 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.
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.
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) consider the permit issuance. 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 issue the permit 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

# Official Notices

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permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the 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 permit. 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 permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

Elise Doucette  
Environmental Analysis and Outcomes Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St Paul, MN 55155-4914

## Department of Transportation (MnDOT) 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 (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective August 22, 2011 until October 21, 2011:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of two (2) years, effective January 4, 2010 until January 3, 2012:

- 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. d/b/a Chris Riley Utilities, Inc. and its affiliates, Morris, MN

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) 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

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

*Minnesota Statute* 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
- 3) 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](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

**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

### Solicitations for Consultants and Vendors

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# State Contracts

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## Department of Administration (Admin)

### Real Estate and Construction Services

#### Notice of Request for Bid for Lease of Three (3) Separate Locations of State-Owned Land Located along Highway 169 near Grace Road in Hibbing for Placement of a Freestanding Pylon Sign Structure and Billboard Display Sign on Each Site

NOTICE IS HEREBY GIVEN that the Department of Administration is requesting bids for the lease of three (3) separate locations of state-owned land along Highway 169 near Grace Road in Hibbing for placement of freestanding pylon sign structure and billboard display sign on each site. A copy of the bid form and requirements can be found on the following website:

*[www.admin.state.mn.us/recs/lr/lr-sa.html](http://www.admin.state.mn.us/recs/lr/lr-sa.html)*

or contact Real Estate and Construction Services at (651) 201.2550.

The bid deadline is October 17, 2011 at 3:30 p.m.

E-mail proposals will not be accepted. Late proposals will not be considered.

## Minnesota State Colleges and Universities (MnSCU)

### Bemidji State University/Northwest Technical College

#### Request for Proposals for Executive Search Consultants

**Bemidji State University/Northwest Technical College** is requesting proposals to assist in developing an unranked list of qualified search consultants for searches that will occur during the 2011-2012 academic year. The positions may include, but are not limited to, the following positions: Northwest Technical College Provost; Vice President for Student Development and Enrollment; Director of Admissions; Dean of the College of Business, Technology, and Communications; and Chief Information Officer.

Bemidji State University/Northwest Technical College's agent for purposes of responding to inquiries about the RFP is:

William Maki  
Vice President for Finance & Administration  
Bemidji State University, #1  
1500 Birchmont Drive NE  
Bemidji, MN 56601  
Phone (218) 755-2012  
E-mail: *[wmaki@bemidjistate.edu](mailto:wmaki@bemidjistate.edu)*

Other persons are **NOT** authorized to discuss RFP requirements before the proposal submission deadline. Bemidji State University/Northwest Technical College shall not be bound by and responders may not rely on information regarding RFP requirements obtained from non-authorized persons.

MnSCU also reserves the right to change the evaluation criteria or any other provision in this RFP by posting the RFP and notice of change(s) as a link to: *[http://www.bemidjistate.edu/offices/procurement\\_logistics/rfps\\_bids/](http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/)*

Questions must include the name of the questioner and his/her phone number, fax number and/or e-mail address. Anonymous inquiries will not be answered.

The selection process includes the President, Vice Presidents, Director of Affirmative Action and Human Resources, and other designees of the President. This group will evaluate the proposals and make the final decision.

Selection and Implementation Timeline:

Monday, October 3, 2011

Tuesday, October 25, 2011 4:00 p.m. CDT

Wednesday, November 2, 2011

Publish RFP Notice in the *State Register*

Deadline for RFP proposal submissions

Complete evaluation process to establish an unranked list.

The first contract to be awarded will be for the Northwest Technical College Provost search. Others are expected to be awarded by December 15, 2011.

Sealed proposals must be received at the following address not later than October 25, 2011, 4:00 p.m. CDT. The responder shall submit five (5) copies of its RFP response. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. One copy of the proposal must be unbound and signed in blue or black ink by an authorized representative of the vendor. Proof of authority of the person signing must accompany the response.

Proposals received after this date and time will be returned to the responder un-opened. Fax and e-mail responses will not be considered. Bemidji State University/Northwest Technical College desires to enter into a contract with the successful vendor(s) if and when a search is announced. The length of such contract(s) shall be for the duration of the search.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

## Minnesota State Colleges and Universities (MnSCU) Pine Technical College Formal Request for Bid (RFB) for the Purchase of Audio Visual Equipment

**NOTICE IS HEREBY GIVEN** that Pine Technical College, directly through an award from U.S. Department of Labor Health Care and High Growth and Emerging Industries grant (American Reinvestment and Recovery Act), is seeking bids for purchase of an audio video system needed to facilitate direct learning from the human simulation based education experienced by students of nursing programs at Pine Technical College and incumbent healthcare workforce training with partner healthcare facilities on campus. The audio video system must fully integrate with existing high fidelity patient simulators and capture video, audio, data logs, and patient monitoring for use in debriefing process

**RESPONSE DUE DATE AND TIME:** Monday, October 10, 2011 by until 4:30 p.m. Central Time

Interested parties must contact Stefanie Schroeder at (320) 629-5126 or: [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu) to obtain specifications for bid. Bids submitted by parties without having obtained specifications will not be considered.

**TITLE OF PROJECT:** Pine Technical College Nursing Simulation Laboratory Audio Visual Equipment

**GEOGRAPHIC LOCATION REQUIREMENTS:** Pine Technical College, 900 Fourth Street South East Pine City, MN 55063

**RESPONSES MUST BE RECEIVED AT LOCATION LISTED BELOW:**

Stefanie Schroeder, Director of Strategic Initiatives

Pine Technical College

900 Fourth Street South East

Pine City, MN 55063

**Phone:** (320) 629-5126

**Fax:** (320) 629-5110

**E-mail:** [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu)

**CONTACT FOR QUESTIONS:** Stefanie Schroeder, Phone: (320) 629-5126

# State Contracts

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Your response to this Request for Bid (RFB) must be returned sealed. Sealed responses must be received no later than the due date and time specified above, at which time the names of the vendors responding to this RFB will be read. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFB.

All attached General RFB Terms and Conditions, Specifications and Special Terms and Conditions are part of this RFB and will be incorporated into any contract(s) entered into as a result of this RFB.

All responses to this RFB must be prepared as stated herein and properly signed. Address all correspondence and inquiries regarding this RFB to the Contact person named above. This is a request for responses to an RFB and is not a purchase order.

## Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Advertisement for Bids Sealed Bids for 2011 Electrical Service Replacement – Phase I

**will be received by:** June Meitzner, Purchasing Manager  
Rochester Community and Technical College  
Room SS153  
851 30th Avenue SE  
Rochester, Minnesota 55904

Until **2:00 PM**, local time, **October 25, 2011**, at which time the bids will be opened and publicly read aloud in Room CC408.

### Project Scope:

- Removal of the existing east side temporary electrical service to the existing switchboard in room CC104. Provide permanent electrical service equipment and connections. Replace the existing main service switchboard in room CC104.
- Removal of the existing west side electrical service to the existing switchboard in room EH100. Provide permanent electrical service equipment and connections. Replace the existing main service switchboard in room EH100.

**A MANDATORY Pre-Bid Meeting will be held at 11:00 AM, October 11, 2011**, in room CC408 at Rochester Community and Technical College. The Engineer and/or College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents are as prepared by the Project Engineer, Stanley Consultants, Inc.

Interested parties may view the Bidding Documents at no cost on the website:

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

and click on “Announcements”, then click on “*Advertisement for Bids (E-Plan Room)*”. Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in viewing or downloading with this digital project information.



## **Minnesota Department of Corrections (DOC) Notice of Request for Proposals for Curriculum Development and Training for Statewide Circle Support Implementation**

The Minnesota Department of Corrections (DOC) is seeking proposals from qualified contractors to create a curriculum and provide training for community and faith-based driven support circles for individuals transitioning from Minnesota correctional facilities to communities throughout the State of Minnesota. A circle process is a group process for reentry planning that involves a team of volunteers that offer mentorship and support to an offender who has expressed a desire to change and a commitment to cause no more harm. Training will be provided to volunteers and organizations interested in supporting males and/or females that have been released from a Minnesota correctional facility on work release, supervised release or intensive supervised release.

The total amount of funding available is \$25,000. The contract will begin on November 15, 2011, or upon full execution of the contract, whichever is later, and will be completed by June 30, 2012. There is the possibility of an option to extend the contract for up to an additional four, one-year terms based upon satisfactory delivery of services by the vendor and the availability of funds.

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.

The deadline for proposal submission is Monday, October 24, 2011, at 2:30 p.m. Central Daylight Time. The full RFP will be sent free-of-charge in response to requests to the contract person listed below, email requests preferred.

Diane Lunda  
Department of Corrections  
Grants and Subsidies Unit  
1450 Energy Park Drive Suite 200,  
St. Paul, MN 55108-5219  
**Telephone:** (651) 361-7389  
**Fax:** (651) 642-0292  
**E-mail:** *Diane.Lunda@state.mn.us*

## **Minnesota State Lottery Request for Proposals for Sponsorship Agreements**

### **Description of Opportunity**

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### **Proposal Content**

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

# State Contracts

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**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Questions

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
**Telephone:** (651) 635-8230  
**Toll-free:** (888) 568-8379 ext. 230  
**Fax:** (651) 297-7496  
**TTY:** (651) 635-8268  
**E-mail:** [johnm@mnlottery.com](mailto:johnm@mnlottery.com)

Other personnel are not authorized to answer questions regarding this Solicitation.

## Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

## Department of Natural Resources (DNR) Notice of Availability of Contract to Identify Options and Costs for Implementing and Enforcing Statewide Measures to Prevent the Spread of Aquatic Invasive Species (AIS)

The Minnesota Department of Natural Resources is requesting proposals for the purpose of preparing a report that evaluates the long-term funding needed to implement and enforce provisions in M.S. 84D related to preventing the spread of aquatic invasive species (AIS).

Work is proposed to start after November 1, 2011.

A Request for Proposals will be available from this office through October 14, 2011. **A written request (by direct mail or e-mail) is required to receive the Request for Proposal.** After October 14, 2011, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Luke Skinner, Invasive Species Program Supervisor  
Department of Natural Resources  
Division of Ecological and Water Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155-4032  
**E-mail:** [luke.skinner@state.mn.us](mailto:luke.skinner@state.mn.us)  
**Telephone:** (651) 259-5140

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., Central Time, October 20, 2011. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

### **Department of Transportation (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](http://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 e-mail address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginis@state.mn.us](mailto:melissa.mcginis@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

# State Contracts

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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](http://www.dot.state.mn.us/consult)

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

## 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.

## Other Funding

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

The *State Register* is one of the best ways to advertise your grants - 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.

Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
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- **Indexes to Vols. 31, 30, 29, 28 and 27**

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 **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Hennepin County Designer Selection Committee (DSC) Advertisement for Architectural / Engineering Services

The Hennepin County Designer Selection Committee (DSC) will be selecting architectural/engineering firms for design and construction administration services for the following project:

- ACF Main Building Administration Area Expansion & Renovation

To obtain a Request for Proposal, please access the Hennepin County internet site at [www.hennepin.us](http://www.hennepin.us). From the County home page, search for "DSC" in the search box in the upper right corner. From the Hennepin County Designer Selection Committee page, you may view and print the RFP for your use.

A letter of interest is not required for RFP noted above. All proposals received by the deadline noted in the RFP will be reviewed by the Designer Selection Committee. If you experience difficulty locating or downloading the RFP, you may call Adam Sobiech, Hennepin County Property Services, at 612-348-3172.

## Minnehaha Creek Watershed District (MCWD) Advertisement for Bids for Dutch Lake Subwatershed DL-3 Water Quality Improvement - 2012

<b>Owner:</b>	<b>Minnehaha Creek Watershed District</b>
<b>Class of Work:</b>	<b>Excavation, RCP and PVC Storm Sewer Construction, Sand Filter Construction and Stream Buffer Management</b>
<b>Project Location:</b>	<b>Hennepin County, Minnesota</b>

# Non-State Bids, Contracts & Grants

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**Pre-Bid Meeting:**            **October 12, 2011, 1:00 PM**  
**Bids Close At:**            **October 19, 2011, 1:00 PM**

## 1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office located at 18202 Minnetonka Blvd., Deephaven, MN, until 1:00 PM, October 19, 2011, at which time such bids will be opened and read aloud. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- RCP and PVC Storm Sewer Construction
- RCP Manhole Construction
- PVC Sub-Drain Construction
- Installation of sand filter media in an excavated trench
- Management of a stream buffer for three years
- Riprap at FES locations
- Culvert Construction
- Grading and Site Restoration

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the offices of Minnehaha Creek Watershed District. There is a required payment of a \$65.00 **non-refundable** fee for each bid package. Bid packages are also available for examination at the District office. All communications made prior to bid opening, relative to this project, should be addressed to the ENGINEER Attn: Mike Panzer, Project Engineer, *mike.panzer@wenck.com* or (763) 479-4200.

Bid Proposals shall be submitted on forms furnished for that purpose.

Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified or cashier's check made payable to Minnehaha Creek Watershed District ("OWNER") in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the OWNER, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. The OWNER will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.

A PRE-BID meeting will be held at the Minnehaha Creek Watershed District office at 1:00 PM October 12, 2011. Potential Bidders and sub-contractors are welcome to attend this meeting.

The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

Dated: 14 September 2011



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# Non-State Bids, Contracts & Grants

## Minnehaha Creek Watershed District

### ADVERTISEMENT FOR BIDS for 2011-2012 Storm Water Pond Maintenance – Twin Lakes Park Pond, St. Louis Park, MN, Southwest Calhoun Pond 1, Minneapolis, MN, Gleason Lake Phase 2 Pond, Plymouth, MN

<b>Owner:</b>	<b>Minnehaha Creek Watershed District</b>
<b>Class of Work:</b>	<b>Excavation, Dredging</b>
<b>Project Location:</b>	<b>Hennepin County, Minnesota</b>
<b>Pre-Bid Meeting:</b>	<b>Mandatory, 1 PM, October 17, 2011</b>
<b>Bids Close at:</b>	<b>1 PM, October 24, 2011</b>

#### 1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office, 18202 Minnetonka Boulevard, Deephaven, MN 55391 until 1:00 PM October 24, 2011, at which time such bids will be opened and read aloud. Bid submittals must be clearly labeled "MCWD 2011-2012 STORM WATER POND MAINTENANCE BID" on the outside of the submittal package. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- Pond Dewatering
- Excavation of Pond Sediment and Disposal
- Stabilization of Access Route
- Restoration of Access Route

Contractors desiring a copy of the instructions to bidders, plans, specifications and proposal forms must obtain them from the office of Wenck Associates, upon the payment of a \$65.00 non-refundable fee for each bid package. Bid packages are also available for examination at the District office. All communications relative to this project should be addressed to the ENGINEER prior to opening of the Bid. Wenck Associates, Attn: Mike Panzer, Project Engineer, 1800 Pioneer Creek Center, Maple Plain MN 55359, [mike.panzer@wenck.com](mailto:mike.panzer@wenck.com), or phone (763) 479-4200.

**A MANDATORY PRE-BID MEETING** will be held at the Minnehaha Creek Watershed District office at 1:00 PM on October 17, 2011.

Each bid proposal shall be submitted on forms furnished for that purpose. Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified or cashier's check made payable to Minnehaha Creek Watershed District ("owner") in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the Owner, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the Owner in case the bidder fails to do so. The Owner will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.

The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The Owner, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

Dated: 20 September 2011



**Several convenient ways to order:**

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip \_\_\_\_\_

Daytime phone (In case we have a question about your order) \_\_\_\_\_

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Shipping Charges**

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

*(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)*

**TOTAL** \_\_\_\_\_

If tax exempt, please provide ES number or completed exemption form.  
ES# \_\_\_\_\_