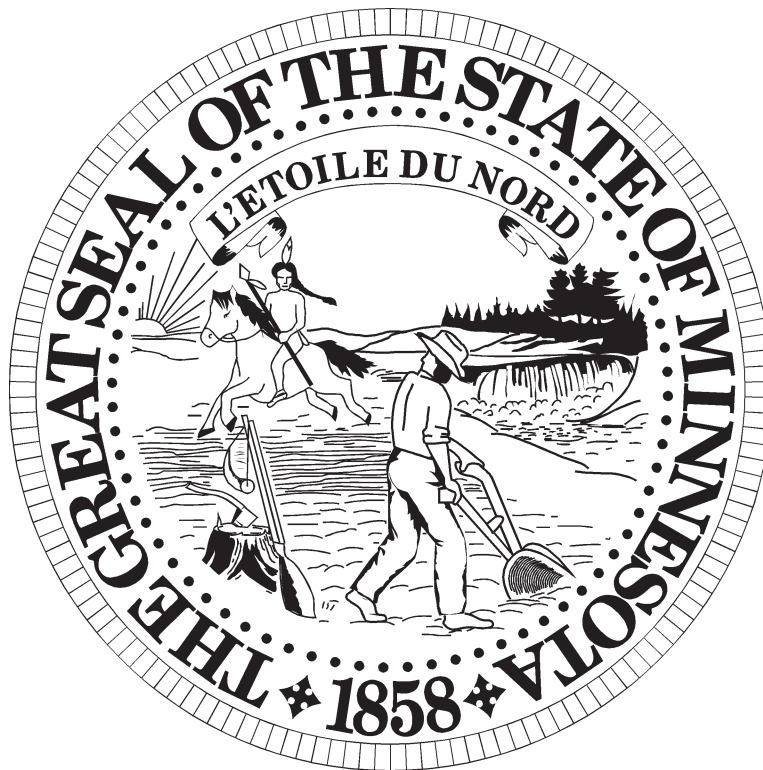


State of Minnesota

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 10 October 2011
Volume 36, Number 12
Pages 397 - 430**

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 36 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)			Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts			Deadline for Proposed, Adopted and Exempt RULES		
# 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
# 15	Monday	31	October	Noon Tuesday	25	October	Noon Wednesday	19	October

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

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Minnesota Rules: Amendments & Additions

Rules Index - Vol. 36, # 1-12: October 10, 2011..... 400

Proposed Rules

Public Safety Department (DPS)

Driver and Vehicle Services Division:

Proposed Permanent Rules Relating to Medical

Qualifications for a Commercial Driver's License..... 401

Withdrawn Rules

Minnesota Racing Commission

Withdrawal of Rules Governing Horse Racing, Stabling,

Horse Medication, and Prohibited Acts..... 410

Commissioners' Orders

Natural Resources Department (DNR)

Commissioner's Order No. INF-11-002:

Designation of Infested Waters..... 410

Official Notices

Important Announcements and Meetings..... 413

Human Services Department (DHS)

Health Care Purchasing and Delivery Systems Division,

Health Care Administration:

Public Notice of Maximum Allowable Costs of

Medical Assistance Outpatient Prescribed Drugs..... 413

Transportation Department (MnDOT)

Engineering Services Division,

Office of Construction and Innovative Contracting:

Notices of Suspension and Debarment..... 414

State Grants & Loans

Funding..... 415

Agriculture Department (MDA)

Pesticide and Fertilizer Management Division:

Availability of Request for Proposals for Agricultural

Fertilizer Research and Education Projects..... 415

Health Department (MDH)

Healthy Homes Strategic Plan:

Grant Funds Available to Retain Assistance in

Developing a Healthy Homes Strategic Plan..... 418

Office of Rural Health & Primary Care (ORHPC):

2011-2012 Rural Hospital Capital Improvement

Grant Program Application Cycle Begins..... 419

State Contracts

Solicitations for Consultants and Vendors..... 419

Minnesota State Colleges and Universities (MnSCU) /

State Department of Administration (Admin)

State Designer Selection Board Project No. 11-12

Availability of Request for Proposal (RFP) for

Designer Selection for Medium Heavy Truck and

Auto Addition and Renovation at St. Cloud Technical

and Community College..... 420

Minnesota State Colleges and Universities (MnSCU)

Hennepin Technical College:

Advertisement for Sealed Bids for 2011

Entrances and Curtainwall Replacement..... 420

Minnesota Historical Society (MHS)

Request for Proposals for Film Documentation of

State-Wide "Sharing Community Stories" Project..... 421

Human Services Department (DHS)

Health Services and Medical Management Division:

Request for Proposals for a Qualified Contractor

to Perform Disability Determinations for the

Medical Assistance Program..... 421

Natural Resources Department (DNR)

Availability of Contract to Identify Options and Costs

for Implementing and Enforcing Statewide Measures

to Prevent the Spread of Aquatic Invasive Species (AIS)..... 422

Transportation Department (Mn/DOT)

Engineering Services Division:

Contracting Opportunities for a Variety of General

Organizational Related Activities..... 423

Engineering Services Division:

Contracting Opportunities for a Variety of Highway

Related Technical Activities ("Consultant

Pre-Qualification Program")..... 423

Engineering Services Division:

Professional/Technical Contract Opportunities and

Taxpayers' Transportation Accountability Act Notices..... 424

Non-State Bids, Contracts & Grants

Other Funding..... 425

Hennepin County Designer Selection Committee (DSC)

Advertisement for Architectural / Engineering Services..... 425

Hennepin County

Notice for Request for Qualifications (RFQ) for

The Interchange Project..... 425

Minnehaha Creek Watershed District (MCWD)

Advertisement for Bids for Dutch Lake Subwatershed

DL-3 Water Quality Improvement - 2012..... 427

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..... 428

Solid Waste Management Coordinating Board

Request for Proposals for Lobbying Services..... 429

Contract information is available from the Materials Management (MMD)
Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

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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.

Index for *Minnesota Rules* appearing in Volume 36, # 12 Monday 3 October - 10 October 2011

Pollution Control Agency (MPCA)

7035.2525; .2665; .2695; .2751; .2755 (**proposed**)..... 373

Public Safety Department (DPS)

7414.0100; .1460; .1550; .1600; 7421.0100; .0200; .0300; .0400;
.0500; .0600; .0700; .0800; .0900 (**proposed**)..... 401

Minnesota Racing Commission

7876.0100; .0110; .0120; 7890.0100; .0110;
7897.0100 (**withdrawn**)..... 410

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 Department of Public Safety (DPS)

Driver and Vehicle Services Division

Proposed Permanent Rules Relating to Medical Qualifications for A Commercial Driver's License

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed Amendment to Rules Governing School Bus Driver Qualifications and Medical Qualifications for Commercial Driver's License, Minnesota Rules, Parts 7414.0100, 7414.1460, 7414.1550, 7414.1600, 7421.0100, 7421.0200, 7421.0300, 7421.0400, 7421.0500, 7421.0600, 7421.0700, 7421.0800, 7421.0900

Introduction. The Minnesota Department of Public Safety, Driver and Vehicle Services Division, intends to adopt rules without a public hearing following the procedures 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. However, if 25 or more persons each submit a written request for a hearing on the rules by 4:30 p.m. on November 9, 2011, the department will hold a public hearing in the State Office Building, Room 200, Saint Paul, Minnesota 55155, beginning at 9:30 A.M. on December 14, 2011. To find out whether the department will hold the hearing or adopt the rules without a hearing, you should contact the department contact person after November 9, 2011 and before December 14, 2011.

Department Contact Person. You may submit comments or questions on the rules or written requests for a public hearing to the department contact person. In addition, if you wish to register with the department to receive notice of future rule proceedings, you should direct your request to the department contact person. The department contact person is: Ms. Jacqueline Cavanagh, Driver and Vehicle Services, Minnesota Department of Public Safety, 445 Minnesota Street, Suite 195, Saint Paul, Minnesota 55101-5195, (651) 201-7583, DVS.Rules@state.mn.us. TTY users may call the department at (651) 282-6555.

Subject of Rule and Statutory Authority. The proposed rules pertain to school bus driver qualifications and medical qualifications for commercial driver's license. The statutory authority to adopt the rule is *Minnesota Statutes*, sections 171.162, subdivision 7; 171.09, subdivision 1; and specific authority pursuant to Laws 2010, chapter 242, section 10. A copy of the proposed rules is published in the *State Register* and attached to this Notice as mailed. The proposed rules are also available on the department's website at:

<https://dps.mn.gov/divisions/dvs/news/Pages/cdl-medical-certificates.aspx>

Proposed Rules

Comments. The department encourages comment on the proposed rules. You have 30 days from the date of this Notice, until 4:30 p.m. on November 9, 2011, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and must be received by the department contact person by the due date. If you submit your comments by electronic mail, the department requests that you use the phrase “CDL Medical Qualifications” in the subject line of your e-mail. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the department hold a hearing on the rules. You must make your request for a public hearing in writing, and your written request must be received by the department contact person by 4:30 p.m. on November 9, 2011. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules to which you object or state that you oppose the entire rule. Any request that does not conform to these requirements is not valid, and the department may not 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 department will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the department must give written notice of this to all persons who requested a hearing, explain the actions the department took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the department will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, the department can provide this Notice in an alternative format, such as large print, braille, or other electronic media format. To make such a request, or if you need an accommodation to make this hearing accessible, please contact the department contact person at the address or telephone number above.

Modifications. The department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the department or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The department will cancel the hearing scheduled for March 23, 2011, if it does not receive written requests for a hearing from 25 or more persons. If you requested a public hearing, the department will notify you before the scheduled hearing as to whether the hearing will be held. You may also call the department contact person at (651) 201-7583 after November 9, 2011, to find out whether the hearing will be held.

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

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

The department requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during

Proposed Rules

the comment or rebuttal period also submit a copy of the written views or data to the department contact person at the address listed above.

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rule. It is now available from the department contact person. You may review or obtain copies for the cost of reproduction by contacting the department contact person. The statement of need and reasonableness is also available on the department's website at:

<https://dps.mn.gov/divisions/dvs/news/Pages/cdl-medical-certificates.aspx>

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about this requirement to the Campaign Finance and Public Disclosure Board, 190 Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota 55155-1603, telephone: (651) 296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the department may adopt the rules after the comment period ends. The department will 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 rules are submitted to the Office. If you want to receive notice of this or want to receive a copy of the adopted rules, submit your request to the department contact person.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report becomes available, and you may make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the department adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the department contact person listed above.

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

Dated: 4 October 2011

Ramona L. Dohman, Commissioner
Minnesota Department of Public Safety

7414.0100 DEFINITIONS.

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

Subp. 1a. **CDL holder.** "CDL holder" means a person who was issued a commercial driver's license or a commercial learner's permit by the commissioner or another jurisdiction as long as the CDL or CLP is not expired or, if expired, expired less than one year from the date of expiration.

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

Subp. 2a. **Commercial driver's license (CDL).** "Commercial driver's license" or "CDL" has the meaning given in *Code of Federal Regulations*, title 49, section 383.5.

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

Subp. 7a. **Medical examiner.** "Medical examiner" has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 38a.

[For text of subps 8 to 15, see M.R.]

7414.1460 EPILEPSY, LOSS OF CONTROL WAIVER; MORE INFORMATION.

The commissioner shall not approve the application of an any applicant seeking a waiver because of the failure to meet the requirement in *Code of Federal Regulations*, title 49, section 391.41, paragraph (b)(8), relating to epilepsy or any other condition likely to cause loss of consciousness or loss of ability to control a motor vehicle safely; must also contain the information in this subpart. The applicant shall provide a letter signed and dated from a physician licensed under *Minnesota Statutes*, chapter 147, attesting that:

A: the physician is familiar with the applicant's medical history and the applicant has been examined within the last six weeks;

B: any neurological or neuromuscular condition is controlled;

C: the applicant's driving is not or will not be impaired by weakness, numbness, or muscle spasm, or the applicant adequately

Proposed Rules

~~compensates for any paralysis or paresthesia while driving;~~

~~D: the applicant is knowledgeable about the condition; and~~

~~E: there are no episodes of altered consciousness or loss of bodily control caused by a neurological condition unless the following apply:~~

~~(1) there has been a single, nonrecurring episode of altered consciousness or loss of bodily control that occurred more than two years prior to application, the cause has been identified, and no further treatment is required; or~~

~~(2) a seizure disorder has been diagnosed but the person has been episode free for at least five years preceding application and has not required treatment for at least five years preceding application.~~

7414.1550 EFFECT OF WAIVER.

A waiver has only future effect. The driver is subject to the alternative measures, conditions, or limitations attached to the waiver have the force and effect and to the enforcement actions and penalties of the applicable law or rule.

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

7414.1600 FEDERAL COMMERCIAL CARRIER MEDICAL EXAMINATION.

Subpart 1. **Exemption.** An applicant for an initial school bus driver's endorsement or for renewal of a school bus driver's endorsement is exempt from parts 7414.1100, 7414.1200, 7414.1300, and 7414.1400, upon providing evidence of being medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle, pursuant to *Code of Federal Regulations*, title 49, part 391, ~~subpart E~~; or *Minnesota Statutes*, section 221.0314, incorporating those federal regulations. As evidence of being medically examined and certified, the applicant is required to submit, to the ~~Department of Public Safety commissioner~~, the original or photographic copy of the commercial motor carrier physical examination form or the medical examiner's certificate under those federal regulations.

Subp. 2. **Periodic reexamination.** Each school bus driver is required to take and pass a physical examination every two years in order to retain the school bus driver's endorsement. The two-year reexamination period will start from the examination date of the most recent physical examination form or medical examiner's certificate submitted by a school bus driver under subpart 1. A school bus driver must ~~send submit~~ the original or photographic copy of the completed physical examination form or medical examiner's certificate, ~~along with a \$2 and the processing fee to the commissioner. The processing fee, on or before the expiration of the two-year period, to the Department of Public Safety established in Minnesota Statutes, section 171.06, subdivision 2, paragraph (c), must be submitted at the time of application or renewal.~~ Failure to pass the physical examination and submit the physical examination form or medical examiner's certificate will result in cancellation of the school bus driver's endorsement from the ~~Minnesota commercial driver's license and the CDL holder will be subject to part 7421.0800.~~

7421.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms in this chapter have the meanings given them in this part.

Subp. 2. **Cancel or cancellation.** "Cancel" or "cancellation" means the commissioner's rescission of a CDL holder's or driver applicant's commercial driving privileges for failure to meet the required commercial driver license testing requirements under chapter 7410.

Subp. 3. **CDL holder.** "CDL holder" means a person who was issued a commercial driver's license or a commercial learner's permit by the commissioner or another jurisdiction as long as the CDL or CLP is not expired, or if expired, expired less than one year from the date of expiration.

Subp. 4. **Commercial driver's license (CDL).** "Commercial driver's license" or "CDL" has the meaning given in *Code of Federal Regulations*, title 49, section 383.5.

Subp. 5. **Commercial learner's permit (CLP).** "Commercial learner's permit" or "CLP" has the meaning given in *Code of Federal Regulations*, title 49, section 383.5.

Subp. 6. **Commercial motor vehicle.** "Commercial motor vehicle" has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 22.

Proposed Rules

Subp. 7. **Commissioner.** “Commissioner” means the commissioner of public safety, acting directly or through authorized officers or agents.

Subp. 8. **Current medical waiver.** “Current medical waiver” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 29a.

Subp. 9. **Department.** “Department” means the Minnesota Department of Public Safety.

Subp. 10. **Department of Transportation (MnDOT).** “Department of Transportation” or “MnDOT” means the Minnesota Department of Transportation.

Subp. 11. **Disqualification or disqualify.** “Disqualification” or “disqualify” means the commissioner’s withdrawal of the privilege to drive commercial motor vehicles for a specific period under part 7421.0600 or 7421.0700.

Subp. 12. **Driver.** “Driver” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 31.

Subp. 13. **Driver applicant.** “Driver applicant” has the meaning given in *Code of Federal Regulations*, title 49, section 383.5.

Subp. 14. **Federal Motor Carrier Safety Administration (FMCSA).** “Federal Motor Carrier Safety Administration” or “FMCSA” means the agency of the United States Department of Transportation.

Subp. 15. **Interstate or foreign commerce.** “Interstate or foreign commerce” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 36a.

Subp. 16. **Intrastate commerce.** “Intrastate commerce” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 36b.

Subp. 17. **License.** “License” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 37.

Subp. 18. **Medical examiner.** “Medical examiner” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 38a.

Subp. 19. **Sufficient cause to believe.** “Sufficient cause to believe” means grounds put forth in good faith, which are not arbitrary, irrational, unreasonable, or irrelevant and which make the proposition asserted more likely than not, provided that the grounds are based on at least one of the following sources:

A. written information from an identified person;

B. facts or statements by the applicant or driver;

C. driver’s license and accident records;

D. court documents and police records; or

E. facts of which the commissioner or a department employee has personal knowledge.

Subp. 20. **Valid medical examiner’s certificate.** “Valid medical examiner’s certificate” has the meaning given in *Minnesota Statutes*, section 171.01, subdivision 49b.

7421.0200 SELF-CERTIFICATION.

Subpart 1. **Requirement.** The commissioner shall not issue a class A, class B, or class C commercial driver’s license or issue a commercial learner’s permit until a driver applicant submits the self-certification required under *Minnesota Statutes*, section 171.162. When applicable, a driver applicant shall submit to the commissioner either:

A. a valid medical examiner’s certificate; or

B. a valid medical examiner’s certificate and a current medical waiver.

Proposed Rules

Subp. 2. **Driver self-certification.** A driver applicant for a class A, class B, or class C commercial driver's license or commercial learner's permit shall certify, as part of the license application, and during any issuance, renewal, transfer, or upgrade of a commercial driver's license or any issuance or renewal of a commercial learner's permit, the category of motor vehicle operation that the driver operates, or expects to operate under *Minnesota Statutes*, section 171.162, subdivision 2, clauses (1) to (4).

Subp. 3. **Form available electronically.** The self-certification form, prescribed by the commissioner and required for compliance with this part, is available electronically from the Department of Public Safety's Web site.

7421.0300 CDL HOLDER INFORMATION UPDATED; RECORD RETENTION.

Subpart 1. **Updating driving record.** In accordance with *Minnesota Statutes*, section 171.167, and Code of Federal Regulations, title 49, part 383.73, the commissioner shall, within ten calendar days, update the driving record of a CDL holder when:

- A. receiving the self-certification form;
- B. receiving the valid medical examiner's certificate;
- C. receiving information from FMCSA or MnDOT regarding the issuance, renewal, or rescision of a medical variance;
- D. a medical variance is issued, renewed, or rescinded under chapter 7414; and
- E. when the CDL holder's medical certification status has expired or a medical variance has expired or has been rescinded.

Subp. 2. **Record retention.** The commissioner shall retain medical certificates and medical waivers in accordance with *Minnesota Statutes*, section 171.12, subdivision 3.

7421.0400 CDL MEDICAL CERTIFICATION STATUS; PERIODIC PHYSICAL REEXAMINATION REQUIRED.

Subpart 1. **Maintaining medical certification status.** If a CDL holder certifies to the category of motor vehicle operation that the CDL holder operates, or expects to operate under *Minnesota Statutes*, section 171.162, subdivision 2, clause (1) or (3), then the CDL holder must pass a physical examination every two years, or as required by the medical examiner, in order to maintain a certified medical certification status on the driving record.

Subp. 2. **Reexamination period.** The reexamination period starts from the date of the most recent medical examination certificate submitted by a CDL holder or received electronically.

7421.0500 GENERAL CRITERIA FOR ACCEPTING INTERSTATE AND INTRASTATE WAIVERS.

Subpart 1. **Accepting interstate waivers generally.** The commissioner shall accept a medical waiver from a CDL holder or driver applicant who has certified under *Minnesota Statutes*, section 171.162, subdivision 2, clause (1), and who has obtained a medical waiver or skill performance evaluation from the Federal Motor Carrier Safety Administration for interstate or foreign commerce relating to:

- A. vision;
- B. diabetes mellitus requiring insulin for control; and
- C. limb impairment.

Subp. 2. **Accepting intrastate waivers generally.** The commissioner shall accept a medical waiver from a CDL holder or driver applicant who has certified under *Minnesota Statutes*, section 171.162, subdivision 2, clause (3), and who has obtained a medical waiver from the Department of Transportation for intrastate commerce relating to:

- A. vision;
- B. diabetes mellitus requiring insulin for control; and
- C. limb impairment; and

D. hearing, except that, under part 7414.1520, the commissioner shall not accept a waiver from the qualifications contained in *Code of Federal Regulations*, title 49, section 391.41.

Proposed Rules

Subp. 3. **Indicating waiver on driver record.** The commissioner shall, in accordance with part 7421.0300, update the driving record when a CDL holder submits a valid medical examiner's certificate accompanied by a current medical waiver that indicates the CDL holder:

A. has a current medical waiver that is issued by FMCSA and is so indicated as a restriction;

B. is prohibited from operating in interstate or foreign commerce when the current medical waiver is issued by the Department of Transportation and is so indicated as a restriction; or

C. is prohibited from operating in interstate or foreign commerce when the current medical waiver is issued by the commissioner and is so indicated as a restriction.

7421.0600 FALSE INFORMATION; DISQUALIFICATION.

Subpart 1. **False information confirmed.** The commissioner shall disqualify the CDL privilege of a CDL holder or a driver applicant if the commissioner has sufficient cause to believe that, during a check of the driver applicant's status and record prior to issuing the CDL or CLP, or at any time after the CDL or CLP is issued, the CDL holder or driver applicant has falsified information in:

A. the self-certification form;

B. the valid medical examiner's certificate or current medical waiver required under *Minnesota Statutes*, section 171.162; or

C. any of the documents required under Code of Federal Regulations, title 49, part 383.71, 383.73, or 383.95.

Subp. 2. **Term.** The disqualification period under subpart 1 is for 60 days from the date of the commissioner's decision. The commissioner shall record the disqualification on the CDL holder's or driver applicant's driving record.

Subp. 3. **Appeal.** A person who disagrees with the commissioner's decision under subpart 1 may request a contested case hearing. The request for a contested case hearing must be submitted in writing to the commissioner within 15 days of the written notification under subpart 1. The request for a contested case hearing must set out in detail the reasons why the person contends the decision of the commissioner should be reversed or modified. If the commissioner receives a written request for a contested case hearing, the commissioner shall schedule a hearing within 30 days after the request is received under the procedures in *Minnesota Statutes*, sections 14.57 to 14.62, and the contested case rules of the Office of Administrative Hearings in parts 1400.5010 to 1400.8400. The decision of the administrative law judge shall be submitted to the commissioner for the commissioner's consideration. The commissioner's decision of the issue under appeal is the final decision of the department.

Subp. 4. **Notice.** The commissioner shall send written notice to the CDL holder or driver applicant upon disqualifying the CDL privilege under subpart 1. The notice must state the duration of the disqualification period.

Subp. 5. **Reinstatement of CDL privilege after disqualification.** The commissioner shall not reinstate the CDL privilege of a driver whose CDL was disqualified under subpart 1 until the driver:

A. has met the disqualification period; and

B. provides the commissioner with required documentation for the category of motor vehicle operation that the driver operates, or expects to operate, to which the driver or driver applicant has certified in the self-certification form.

7421.0700 FRAUD; DISQUALIFICATION, CANCELLATION.

Subpart 1. **Conviction of fraud related to the testing and issuance of a CLP or CDL.**

A. The commissioner shall disqualify the CDL privilege or application of a CDL holder or driver applicant for one year when the commissioner is notified that the CDL holder or driver applicant has been convicted of fraud related to the issuance or testing of a CDL or CLP.

B. The commissioner shall record the disqualification and the conviction of fraud in the person's driving record.

Subp. 2. **Fraud suspected related to the testing and issuance of a CLP or CDL.** If the commissioner has sufficient cause to believe that a CDL holder or a driver applicant is suspected, but has not been convicted of fraud, related to the issuance of the CDL or CLP, then the commissioner shall send written notice to the CDL holder or driver applicant stating that the CDL holder or driver applicant must retake either the applicable knowledge test or the applicable road test, or both, under chapter 7410.

Proposed Rules

Subp. 3. **Failure to pass required test; cancellation.** The commissioner shall cancel the CDL privilege of a CDL holder or driver applicant described in subpart 2 if the CDL holder or driver applicant does not pass the required tests within 30 days of the date of the notice. The commissioner shall not reinstate the CDL privilege until the driver applicant satisfies the CDL testing requirements under chapter 7410.

Subp. 4. **Appeal.** A person who disagrees with the commissioner's decision under subpart 2 may request a contested case hearing. The request for a contested case hearing must be submitted in writing to the commissioner within 15 days of the written notification under subpart 5. The request for a contested case hearing must set out in detail the reasons why the person contends the decision of the commissioner should be reversed or modified. If the commissioner receives a written request for a contested case hearing, the commissioner shall schedule a hearing within 30 days after the request is received under the procedures in *Minnesota Statutes*, sections 14.57 to 14.62, and the contested case rules of the Office of Administrative Hearings in parts 1400.5010 to 1400.8400. The decision of the administrative law judge shall be submitted to the commissioner for the commissioner's consideration. The commissioner's decision of the issue under appeal is the final decision of the department.

Subp. 5. **Notice.** The commissioner shall send written notice to the CDL holder or driver applicant upon disqualifying the CDL privilege under subpart 1 or upon cancelling the CDL privilege under subpart 2. The notice must state the duration of any applicable disqualification period.

7421.0800 NOTICE OF INTENT TO DOWNGRADE COMMERCIAL DRIVER'S LICENSE.

Subpart 1. **Warning notice of medical status expiring.** The commissioner shall send written notice to a CDL holder 60 days prior to the expiration of the CDL holder's medical certification status that states:

A. the medical examiner's certificate or the medical waiver will expire within 60 days of the date of the notice;

B. the commissioner will change the medical status to "Not Certified" on the CDL holder's driving record; and

C. the CDL privilege will no longer be valid, unless the CDL holder submits:

(1) current medical documents; or

(2) a new self-certification form indicating that the CDL holder is exempt from medical requirements under *Minnesota Statutes*, section 171.162.

Subp. 2. **Notice of medical certificate status updated to not certified.** The commissioner shall send written notice to a CDL holder who fails to submit a valid medical examiner's certificate or a current medical waiver before either expires, or fails to submit a new self-certification in which the CDL holder certifies that the CDL holder is exempt from the medical examination requirements under *Minnesota Statutes*, section 171.162. The notice must state:

A. the CDL medical certification status has been updated to "NOT CERTIFIED";

B. the CDL privilege is not valid; and

C. the CDL will be downgraded to a class D license unless, within 30 days of the date of notice, the CDL holder submits the medical documentation required under *Minnesota Statutes*, section 171.162.

Subp. 3. CDL downgrade.

A. A driver whose CDL has been downgraded to a class D license for less than one year may seek reinstatement of the CDL privilege by submitting either:

(1) a self-certification form in which the driver certifies that the CDL holder is exempt from the medical examination requirements under *Minnesota Statutes*, section 171.162; or

(2) the valid medical examiner's certificate or current medical waiver required under *Minnesota Statutes*, section 171.162, subdivision 3.

B. A driver whose CDL has been downgraded to a class D license for more than one year and who seeks reinstatement of the CDL privilege is subject to the testing requirements under part 7421.0900.

7421.0900 TESTING REQUIRED AFTER CDL DOWNGRADE.

Subpart 1. **Requirements after CDL downgrade.** A driver applicant for a commercial driver's license whose license has been downgraded to a class D license for more than one year must pass applicable required knowledge tests and a road test administered by the commissioner.

Subp. 2. **Knowledge tests.** A driver applicant must pass all the knowledge tests required for the class of license and endorsements required for the vehicle that the driver applicant expects to operate.

Subp. 3. **Road test.**

A. A driver applicant must pass a road test administered by the commissioner in a commercial motor vehicle that represents the class of license required for the vehicle that the driver applicant expects to operate.

B. A driver applicant for a passenger endorsement must pass a road test administered by the commissioner in a qualifying bus within the meaning of *Minnesota Statutes*, section 169.011, subdivision 11.

C. A driver applicant for a school bus endorsement must pass a road test administered by the commissioner in a school bus within the meaning of *Minnesota Statutes*, section 169.011, subdivision 71.

EFFECTIVE DATE; CONTINUATION OF EXISTING EPILEPSY WAIVER. An epilepsy waiver issued under parts 7414.1460 and 7414.1510 before the effective date of these rules remains effective on and after the effective date of these rules as long as the CDL holder to whom the waiver was issued continues to meet the requirements of the waiver without interruption.

Withdrawn Rules

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement toward the rules' adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity, **Minnesota Rules: Amendments and Additions**. An agency that so chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

Minnesota Racing Commission

Notice of Withdrawal of Rules Governing Horse Racing, Minnesota Rules, 7876 Stabling, 7890 Horse Medication, and 7897 Prohibited Acts; Governor's Tracking Number AR 1001; Revisor's Track Number RD 4005

The Minnesota Racing Commission is withdrawing the above named rule changes on Medication Thresholds, published on July 5, 2011 in the *State Register*, Volume 36, Number 1, 36 SR 9.

Due to some technical problems the rulemaking process will start over. If you have questions please contact Richard Krueger, **phone:** (952) 496-7952 or **e-mail:** Richard.krueger@state.mn.us.

Dated: 3 September 2011

Richard Krueger, Executive Director
Minnesota Racing Commission

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources (DNR)

Commissioner's Order No. INF-11-002: Designation of Infested Waters

EFFECTIVE DATE: Upon publication in the *State Register* on October 10, 2011
Statutory authority: *Minnesota Statutes*, section 84D.03, subdivision 1

Supplements: Commissioner's Order INF-07-001 dated October 4, 2007,
Commissioner's Order INF-08-001 dated April 21, 2008,
Commissioner's Order INF-08-002 dated July 7, 2008,
Commissioner's Order INF-09-001 dated May 7, 2009,
Commissioner's Order INF-09-002 dated July 9, 2009,
Commissioner's Order INF-09-003 dated December 28, 2009,
Commissioner's Order INF-10-001 dated April 27, 2010,
Commissioner's Order INF-10-002 dated June 13, 2010,
Commissioner's Order INF-10-003 dated August 9, 2010,
Commissioner's Order INF-10-004 dated December 15, 2010, and
Commissioner's Order INF-11-001 dated April 21, 2011

Commissioner's Orders

WHEREAS, pursuant to *Minnesota Statutes*, section 84D.03, subdivision 1, the commissioner shall designate a water of the state as an infested water if it is determined that the water contains a population of an aquatic invasive species that could spread to other waters if use of the water and related activities are not regulated to prevent spread, or the water is highly likely to be infested by an aquatic invasive species because it is connected to a water that contains a population of an aquatic invasive species.

WHEREAS, pursuant to *Minnesota Statutes*, section 84D.03, subdivision 1, the designation of infested waters by the commissioner shall be by written order published in the State Register.

WHEREAS, the following described waters in the state meet the criteria established in *Minnesota Statutes*, section 84D.03, subdivision 1, for designating infested waters and the following explanations apply to the list:

1. A lake in more than one county is listed under the county corresponding to its public waters inventory number, but the designation applies to the entire lake. Lake Superior and designated portions of rivers that flow through more than one county are listed under the heading Multiple Counties.
2. Ponds and wetlands that are not on the public waters inventory are listed with “none” in the number column.
3. Rivers and streams on the public waters inventory are listed without a number in the number column.
4. Changes to previous designations of infested waters are shown by underlining the new text and strikethrough of deleted text.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, section 84D.03, subdivision 1, the following waters are designated as infested waters and previous designations are modified or removed from designation. All currently designated infested waters are listed at the Department of Natural Resources Web site at:

http://files.dnr.state.mn.us/eco/invasives/infested_waters.pdf

Waters infested with Eurasian water milfoil.

The following water bodies are infested with Eurasian water milfoil (*Myriophyllum spicatum*) or its hybrids.

Name	DNR Public Waters Inventory Number
Crow Wing County Clearwater	18-0038
Rice County Circle	66-0027
Stearns County Otter Lake Sylvia Lake	73-0015 73-0249
Wright County Locke Lake John Lake Silver Lake	86-0168 86-0288 86-0140

Waters infested with faucet snail.

The following water bodies are infested with faucet snail (*Bithynia tentaculata*).

Name	DNR Public Waters Inventory Number
Hubbard County First Crow Wing Lake Second Crow Wing Lake	29-0086 29-0085

Commissioners' Orders

Multiple Counties

Crow Wing River, from Highway 87 in Hubbard County downstream to the confluence with the Mississippi River (Cass, Hubbard, Morrison, Todd, and Wadena counties)

Waters infested with spiny water flea.

The following water bodies are infested with spiny water flea (*Bythotrephes cederstroemi*).

Name	DNR Public Waters Inventory Number
Roseau County	
Warroad River, downstream of Highway 11	
Swift Ditch, downstream of Highway 12	
Multiple Counties	
Warroad River, from State Highway 11 downstream to Lake of the Woods	

Waters infested with zebra mussels.

The following water bodies are infested with zebra mussel (*Dreissena* spp.).

Name	DNR Public Waters Inventory Number
Douglas County	
Brophy Lake	21-0102
Lake Cowdry (Cowdrey)	21-0103
Lottie (Taylor) Lake	21-0105
Lake Stoney (Stony)	21-0101
North Union Lake (Union)	21-0095
Otter Tail County	
Pelican River, from Fish Lake downstream to Prairie Lake the Otter Tail River	
Rose Lake	56-0360

This order is effective upon publication in the *State Register*.

Date signed: 3 October 2011

Approved by: Tom Landwher, Commissioner
Department of Natural Resources

Official Notices

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

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

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Department of Human Services

Health Care Purchasing and Delivery Systems Division

Health Care Administration

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

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

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

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

No earlier than October 11, 2011 the Department may add the following outpatient prescribed drugs to the state MAC list:

Drug Name

FELBAMATE

ATOVAQUONE/PROGUANIL HCL

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$20,000.00 for State Fiscal Year 2011 (July (Cite 36 SR 413)

Official Notices

1, 2011 through June 30, 2012).

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

Written comments and requests for information may be sent to Pharmacy Program Manager

Sara Drake R.Ph., Health Services and Medical Management Division,
Health Care Administration,
Minnesota Department of Human Services,
P.O. Box 64984,
St. Paul, Minnesota 55164-0984.

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 Grants & Loans

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

Funding

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.

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). Here's what you receive via e-mail:

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Minnesota Department of Agriculture (MDA)

Pesticide and Fertilizer Management Division

Notice of Availability of Request for Proposals for Agricultural Fertilizer Research and Education Projects

In 2007, the Minnesota Legislature established the *Minnesota Agricultural Fertilizer Research and Education Program* for the purpose of directing fertilizer research and outreach programs. The enabling legislation establishing the governing Agricultural Fertilizer Research

State Grants & Loans

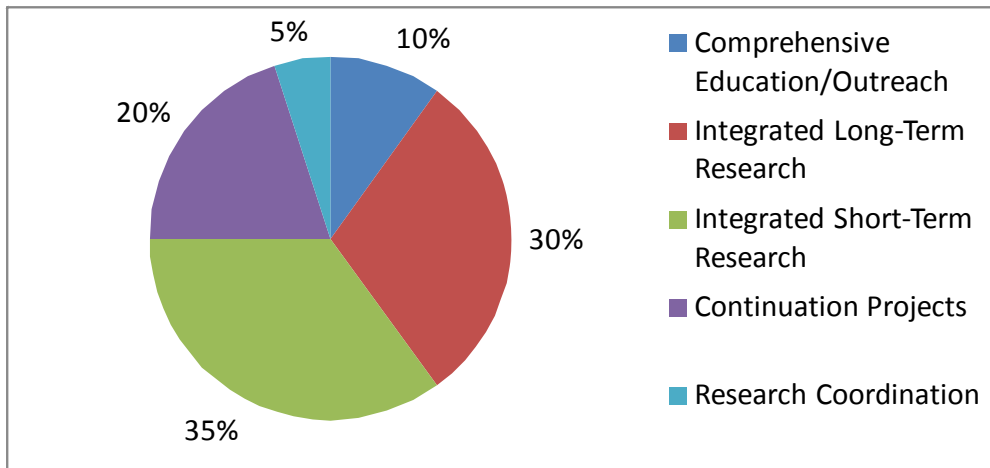
and Education Council (AFREC) is *Minnesota Statutes* 18C.70 and 18C.71. The Minnesota Legislature later (2009) established the funding mechanisms by raising the Minnesota Department of Agriculture's (MDA) fertilizer tonnage fees from 30 cents/ton to 70 cents/ton starting July 1, 2009. The full \$800,000 (the upper annual limit set by the legislature) is available for this Request for Proposals (RFP) and was generated by fertilizer sales from July 1, 2009 to June 30, 2010.

Request for Proposals (RFP)

The Council will release two separate RFPs in order to issue \$800,000 during this funding cycle.

Project Priorities

The graphic below provides a simple approximation on how the Council would prefer to allocate financial resources for Fiscal Year 12 (July 1, 2011-June 30, 2012). These percentages are provided merely to help RFP respondents in planning out their proposal. Actual amounts spent in each category will vary upon the quantity, quality and project costs. All research projects (regardless of duration) are required to integrate an education/outreach component. Please note that the "Research Coordination" is a separate RFP (RFP #2).



Request for Proposals (RFP #1)—Fertilizer Research and Education

The broad priorities (A-D) listed below are not ranked in any particular order. Within each priority, there may be a subset of specific priorities.

A. Integrated Long-Term Research Programs (4-5 years to complete)

Listed by Priority

- 1) Comprehensive Statewide Approach for Addressing Site Specific Fertilizer Management (Emphasis on nitrogen management)
- 2) Plant Sensing/Tissue Analysis/Foliar Feeding Research and Technology Development (includes both micro and macro nutrients)

B. Integrated Short-Term Research Programs (1-3 years to complete)

Listed by Priority

- 1) Slow/Controlled Release Nitrogen Fertilizer Research (timing, placement, management, blends, etc.)
- 2) Soil Fertility Research Specific to Nitrogen and Sulfur Management on Coarse-Textured Soils

C. Continuation of Current Partially Funded Projects (Annual Appropriations)

Projects Listed Below Are Not Ranked

- R2009-09 "On Farm Assessment of Critical Soil Test P Values in Minnesota;
- R2009-04 "Minnesota Long-Term Phosphorus Management Trials: Phase 1, the Build Period;
- R2009-03 "Nitrogen Update, Distribution, and Utilization in Hard Red Spring Wheat Varieties.

D. Comprehensive Education/Outreach (Note that this category is for specific educational programs over and above the required education/outreach required for every research project)

State Grants & Loans

No Additional Guidance Provided in This Category

Request for Proposals (RFP #2): Research Coordination

(Please request the separate RFP titled “*Fertilizer Research Coordination Program*” for more information)

Task 1) Provide an independent review and summary of past and current soil fertility research pertinent to Minnesota crops and conditions.

Task 2) Based upon scientific literature needs (Task 1), preliminary producer/dealer needs, and recommendations from existing commodity group assessments, develop recommendations to guide the Council in establishing priorities and timelines in preparation for the future “Request for Proposals”.

Task 3) Facilitate research discussions to insure that high quality, cost effective and coordinated project proposals are constructed.

Provide analysis and recommendations to improve coordination and opportunities for leveraging funds across research efforts by the commodity groups, industry, International Plant Nutrition Institute, Agricultural Research Service, neighboring land grant universities and their fertilizer check-off programs, AFREC, and the University of Minnesota.

Task 4 {optional}) Additional scope defined by proposer.

Eligible project activities include research that addresses one or more of the activities as defined by *Minnesota Statutes*, section 18C.71. These activities include research, education, and technology transfer related to the production and application of fertilizer, soil amendments, and other plant amendments.

Contact Information: Applications must be submitted using the format prescribed in the proposal instructions. To request proposal instructions and to receive application materials, please call, e-mail, or write for the full RFP which will be sent free of charge to interested vendors.

Minnesota Department of Agriculture
Bruce Montgomery, Unit Supervisor
Fertilizer Management Unit
625 Robert Street North
St. Paul, MN 55155
E-mail: Bruce.Montgomery@state.mn.us
Phone: (651) 201-6178

No other personnel or representatives are authorized to discuss this RFP with responders before the proposal submission deadline. Contact regarding this RFP with any other personnel not listed above could result in disqualification.

Submission Deadline: Project proposals must be received not later than 3:00 p.m. Central Time, December 9, 2011. Late responses will not be considered. Fax and e-mail responses will not be considered.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the Request for Proposal if it is considered to be in its best interest.

- A total of \$800,000 in funds can be awarded.
- Any organization, research entity, or individual may apply for these funds.
- The Council's goal is to have projects selected and contracts executed prior to the 2011 cropping season.

Completed and Current AFREC funded Project

For a list of AFREC funded projects please see the following web link:

<http://www.mda.state.mn.us/afrec>

State Grants & Loans

Minnesota Department of Health (MDH)

Healthy Homes Strategic Plan

Grant Funds Available to Retain Assistance in Developing a Healthy Homes Strategic Plan

MDH is issuing a request for proposals to retain assistance in developing a Healthy Homes Strategic Plan (HH Plan). The HH Plan will rely on available data to identify and prioritize hazards, diseases, and conditions resulting from housing-related conditions, characterize high-risk populations, outline critical partners and resources needed for implementation, and establish evaluation measures to ensure efforts are meeting goals and objectives.

The total amount of the grant funding through 8/31/12 is \$70,000 with an option to continue for an additional \$70,000 for a second year. Eligible applicants include community-based or non-profit organizations, individuals with experience preparing strategic planning documents, community health boards, local public health agencies, cities of the first class, and counties.

MDH's Healthy Homes Strategic Plan (HH Plan) Grant provides funding to:

- Build a consortium of strategic partners to address unsafe and/or unhealthy housing conditions, including community health and housing leaders and community members; voluntary and professional organizations; and business, community, and faith-based leaders;
- Prepare for and host a series of meetings (at least quarterly) with strategic partners from both urban and rural areas to prioritize housing-related hazards and review draft text;
- Summarize background information and draft HH Plan text reflecting current knowledge of prioritized health concerns, consensus agreements of the strategic partners, and recommendations for program implementation and evaluation;
- Address vulnerable populations, including (at a minimum) low income populations statewide, participants in public assistance programs, and populations of color;
- Address housing-based health hazards, including (at a minimum) lead poisoning, asthma, slips/trips/falls, fire prevention, lung cancer (radon), carbon monoxide poisoning, allergies, and home safety;
- Identify measurable goals and objectives, and roles of staff and strategic partners;
- Provide evaluation measures for both outputs and outcomes of the HH Plan.

The scoring of the Plan's criteria (102 possible points) will be as follows:

A. Background Information on Organization –	30 points
B. General Information –	20 points
C. Experience in Strategic Planning –	30 points
D. Experience Working With High-Risk Housing –	20 points
E. In-kind support (optional) –	2 points

Completed grant applications must arrive at MDH on or before **4:00 p.m., Friday, November 4, 2011**, or have a legible postmark from the United States Postal Service, or a legible pick-up or drop-off time from a private carrier with a date and time that precedes 4:00 p.m., Friday November 4, 2011. Applicants can go to: www.health.state.mn.us/divs/eh/homes to download the complete RFP.

Dated: October 2011

Minnesota Department of Health (MDH)

Office of Rural Health & Primary Care (ORHPC)

2011-2012 Rural Hospital Capital Improvement Grant Program Application Cycle Begins

Minnesota Statutes Section 144.148 authorizes the Commissioner of Health to award grants to eligible hospitals under the Rural Hospital Capital Improvement Grant Program. The program helps small (50 or fewer beds) undertake needed modernization projects to update, remodel or replace aging hospital facilities and equipment necessary to maintain the operations of the hospital.

This program assists eligible small rural hospitals to undertake to update, remodel or replace aging hospital facilities and equipment. Eligible hospitals are non-federal, not-for-profit, general acute care hospitals with 50 or fewer beds located in a rural area or in a community with a population of less than 15,000 and outside the seven county metropolitan area. Applicants may apply for grants of up to \$125,000 and approximately \$1.7m is available. Pre-applications are due December 16, 2011 and will be available October 10, 2011 or soon thereafter, on the Office of Rural Health & Primary Care (ORHPC) web site at:

<http://www.health.state.mn.us/divs/cfh/orhpc/grant/home.htm>

For information and assistance, contact Doug Benson, Minnesota Department of Health, Office of Rural Health and Primary Care at (651) 201-3842 or doug.benson@state.mn.us

State Contracts

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

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

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

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

Solicitations for Consultants and Vendors

The state spends \$2-3 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 each 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
- Early delivery, on Friday
- LINKS, LINKS, LINKS
- "Contracts & Grants" Open for Bid
- E-mailed to you . . . its so easy
- Easy Access to *State Register* Archives
- Indexes to Vols. 31, 30, 29, 28 and 27

State Contracts

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) / State Department of Administration (Admin) State Designer Selection Board Project No. 11-12 Notice of Availability of Request for Proposal (RFP) for Designer Selection for Medium Heavy Truck and Auto Addition & Renovation at St. Cloud Technical and Community College

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

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website,
<http://www.finance.mnscu.edu.html>,

click on "Announcements." A mandatory informational meeting is scheduled for 2:00 PM, Tuesday, October 18, 2011 at St. Cloud Technical and Community College, 1540 Northway Drive, Room 452, St. Cloud, MN 56303.

Proposals must be delivered to Sherry Van Horn, Executive Secretary, State Designer Selection Board, 200 Department of Administration, Real Estate and Construction Service, Administration Building, Room 309, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2376 not later than **12:00 noon C.T., October 31, 2011**. Late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU) Hennepin Technical College Advertisement for Sealed Bids for 2011 Entrances and Curtainwall Replacement

Sealed Bids for: 2011 Entrances and Curtainwall Replacement
Hennepin Technical College
Brooklyn Park and Eden Prairie Campuses
Minnesota

Will be received by: Pauline Arnst, Purchasing Agent
Room: H195
Hennepin Technical College
13100 College View Drive
Eden Prairie, MN 55445

Untill **Friday, October 28, 2011 at 10:00 AM** at which time the bids will be opened and publicly read.

Project Scope: Work includes door entrances and curtainwall replacements for openings in the buildings at Eden Prairie and Brooklyn

Park Campuses of Hennepin Technical College. Work also includes related flashing and sealants, masonry through-wall, new precast sills, and brick replacement of individual broken or cracked brick.

A **Pre-Bid Meeting** and walk-through will be held on **Wednesday, October 19, 2011** at 10:00 AM at Hennepin Technical College, **Eden Prairie campus in Room H195**. The campus address is 13100 College View Drive, Eden Prairie, MN 55347. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, bidding documents and other conditions with the interested bidders and answer questions.

Bidding Documents are as prepared by the Project Architect/Engineer; Judd Allen Group.

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)". The QuestCDN.com project number is **1756415**. 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 e-mail as addenda are issued. Parties that download the plans for 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 infor@questcdn.com** for assistance in viewing or downloading with this digital project information.

Minnesota Historical Society (MHS)

Notice of Request for Proposals for Film Documentation of State-Wide "Sharing Community Stories" Project

The Minnesota Historical Society (Society) is seeking competitive proposals from qualified and experienced individuals or firms to document the Society's "Sharing Community Stories" project for FY2012. This documentation will require filming, interviewing, editing, and creating files in various formats for posterity. It will also require travel throughout the State.

The Request for Proposals is available by contacting Mary Green-Toussaint, the Society's Purchasing Coordinator, via e-mail at: mary.green-toussaint@mnhs.org.

Proposals are due no later than 2:00 P.M. Local Time, on Thursday, October 27, 2011. Late proposals will not be accepted.

Dated: 10 October 2011

Department of Human Services (DHS)

Health Services and Medical Management Division

Request for Proposals for a Qualified Contractor to Perform Disability Determinations for the Medical Assistance Program

The Minnesota Department of Human Services, Health Services and Medical Management Division, (DHS) is seeking Proposals from qualified Responders to provide professional and technical services in disability determination for the Medical Assistance Program (MA). Specifically, the successful Responder will act as the State's Agent to review requests from MA applicants to determine if there is sufficient medical evidence to support the certification of a disabling condition, pursuant to the Social Security Administration's disability guidelines. In addition, the Agent will determine the level of care for children applying for MA eligibility through the Tax Equity and Fiscal Responsibility Act (TEFRA) option.

State Contracts

The term of any resulting Contract is anticipated to be two years (January 1, 2012 – December 31, 2013), with an option to extend for up to two additional 1-year terms. The RFP document is available at the DHS website, www.dhs.state.mn.us, or by contacting:

Deb Wagner
Minnesota Department of Human Services
Health Services and Medical Management Division
P.O. Box 64984
St. Paul, MN 55164-0984
Phone: (651) 431-2672
Fax: (651) 431-7420
E-mail: deb.wagner@state.mn.us

Proposals must be received at DHS no later than **12:00 noon Central Time, November 1, 2011.**

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
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) 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

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.

State Contracts

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.

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
- E-mailed to you . . . its so easy
- 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

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. 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.

Hennepin County Notice for Request for Qualifications (RFQ) for The Interchange Project

The Interchange Project is located in downtown Minneapolis and includes the following design and construction components: A three level parking structure which supports an elevated pedestrian plaza; a new light rail platform with related track and bridge structures; at-grade light rail storage tracks; a street level plaza area; reconstructed intersections at 5th Street N/5th Ave N and 5th Street N/6th Ave N; and the design, construction, and relocation of the administration offices for the Hennepin Energy Recovery Center (HERC). The project also

Non-State Bids, Contracts & Grants

includes sitework improvements that will include clearing, grubbing, landscaping, hardscapes, and associated utility improvements. This work will be contracted under a design-build selection process.

Anticipated Timeline

September 30, 2011 -	Issue RFQ
October 11, 2011 -	Informational Meeting
October 21, 2011 -	Deadline for submitting RFQ Questions
October 28, 2011 -	RFQ Responses Due
November 29, 2011 -	Notification of Short-Listed Responders
December 6, 2011 -	Issue RFP
February 10, 2012 -	RFP Proposals Due
March 2012 -	Contract Award

The RFQ documents are available online www.hennepin.us/InterchangeRFQ, or by contacting:

Steven Louie, Purchasing and Contract Services
Hennepin County Government Center A-1730
300 South Sixth Street
Minneapolis, MN 55487-0175
E-mail: Steven.Louie@co.hennepin.mn.us

Responses to the RFQ must be received no later than 11:30 a.m. Central Daylight Time (CDT), Friday, October 28, 2011. Hennepin County reserves the right to reject late responses.

Complete details regarding submission requirements are included within the Request for Qualifications.

Request for Qualifications

The County is requesting Statement of Qualifications from interested design-build firms for the Interchange Project. The Project will be contracted under a design-build selection process with an estimated design and construction cost of \$54 Million.

Pre-Submission Meeting

A Pre-Submission Meeting will be conducted on Tuesday, October 11, 2011 at 2:00 p.m. at the Environmental Services Building, Visitor's Center Suite 200. The building is located at 417 North Fifth Street, Minneapolis, Minnesota. Responder participation in this meeting is highly recommended.

Documents and Addenda (if any)

The Request for Qualification Documents (including all addenda, if any) are available on the Hennepin County web site: www.hennepin.us/contractopportunities or at:

Hennepin County
A-1730 Government Center
300 South Sixth Street
Minneapolis, Minnesota 55487
Phone: (612) 348-3181

Applications for Disadvantaged Business Enterprise

There is an overall DBE goal of 15% for this project. If you believe that your firm may qualify as a Disadvantaged Business Enterprise, please go to: <http://www.dot.state.mn.us/civilrights/>

Due Date for Response

Statement of Qualifications will be received in the office of Hennepin County Purchasing and Contract Services, A-1730 Government Center, Minneapolis, Minnesota, 55487-0175, until **11:30 a.m. Central Time, Friday, October 28, 2011.**

Non-State Bids, Contracts & Grants

Minnehaha Creek Watershed District (MCWD)

Advertisement for Bids for Dutch Lake Subwatershed DL-3 Water Quality Improvement - 2012

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

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

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

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, 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

Non-State Bids, Contracts & Grants

Solid Waste Management Coordinating Board

Request for Proposals for Lobbying Services

Issued by:	Solid Waste Management Coordinating Board
Release Date:	September 29, 2011
Due Date:	October 31, 2011 (at 5:00 p.m.)

The Solid Waste Management Coordinating Board has released a Request for Proposals (RFP) for lobbying services. The contract will begin on January 1, 2012 and continue until December 31, 2012, with a Board option to then extend the contract for up to an additional four years.

The full RFP can be accessed at www.swmcb.org by clicking on the "RFP" link on the left side of the webpage.

The contract amount involved in this RFP will be up to \$40,000.

A qualified respondent should review the RFP specifications and submit one (1) unbound original and a Microsoft Windows compatible electronic version on disk or CD of its proposal by 5:00 p.m. Central Standard Time (CST) on or before Monday, October 31, 2011 to:

Solid Waste Management Coordinating Board
Attn: Ryan O'Connor
Richardson, Richter & Associates, Inc.
477 Selby Avenue
St. Paul, MN 55102

Please limit questions or any other contact that is made related to this RFP or the SWMCB to Ryan O'Connor: e-mail: roconnor@rranow.com, phone: (952) 237-2440.

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- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
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\$100.01-\$1,000	\$ 17.00*
* \$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.	
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Subtotal _____

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address, 7.625% if
shipped to St. Paul
address. 7.125% MN
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sales tax if applicable)

TOTAL _____

Credit card number: _____

Expiration date: _____ Signature: _____

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or completed exemption form.
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