

# Minnesota State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;  
Official Notices; State Grants & Loans; State Contracts;  
Non-State Public Bids, Contracts & Grants**

**Monday 11 August 2014  
Volume 39, Number 6  
Pages 199 - 224**

# Minnesota State Register

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

The *Minnesota 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. It 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- Withdrawn Rules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. 39 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)		Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts		Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)	
# 7	Monday	18 August	Noon Tuesday	12 August	Noon Thursday	7 August
# 8	Monday	25 August	Noon Tuesday	19 August	Noon Thursday	14 August
# 9	TUESDAY	2 September	Noon Tuesday	26 August	Noon Thursday	21 August
# 10	Monday	8 September	Noon Tuesday	2 September	Noon Thursday	28 August

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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. TTY relay service phone number: (800) 627-3529

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# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

## Minnesota Department of Labor and Industry (DLI)

### Occupational Safety and Health Division

### Proposed Revision to the Occupational Safety and Health Standards and Request for Comments

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA), proposes to adopt the following amendment to the Department of Labor and Industry, Occupational Safety and Health Rules. Statutory authority to adopt the amendment is in *Minnesota Statutes* §182.655.

This notice proposes the adoption by reference of amendments to Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA). The notice also proposes amendments to *Minnesota Rules* 5205.0110 Indoor Workroom Ventilation and Temperature; and *Minnesota Rules* 5205.0116 Carbon Monoxide Monitoring.

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any change proposed.

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections, and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* §182.655 and *Minnesota Rules* 5210.0020 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307.

Ken Peterson, Commissioner  
Department of Labor and Industry

#### SUMMARY OF CHANGES

The following is a brief summary of the proposed changes. The proposed revisions follow this summary.

(A) **"Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule."** On April



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## Exempt Rules

11, 2014, the Occupational Safety and Health Administration published in the *Federal Register* the final rule to improve workplace safety and health for workers performing electric power generation, transmission and distribution work.

The final rule revises OSHA's 40-year-old construction standard for electric power line work to make it more consistent with the corresponding general industry standard and also makes some revisions to the construction and general industry requirements. In addition, the standards adopt revised approach-distance requirements and add new requirements to protect workers from electric arcs. General industry and construction standards for electrical protective equipment are also revised under the final rule.

The rule became effective at the federal level July 10, 2014, and federal OSHA adopted delayed compliance deadlines for certain requirements. Additional information on the final rule is available at [www.osha.gov](http://www.osha.gov).

By this notice, MNOSHA is proposing to adopt this federal final rule, as published in the *Federal Register* April 11, 2014.

(B) **“Proposed update to Minnesota Rules 5205.0110 Indoor Workroom Ventilation and Temperature; and 5205.0116 Carbon Monoxide Monitoring.”** This proposal seeks to update M.R. 5205.0110 by defining indoor for purposes of this rule; clarifying the scope of indoor coverage to be places of employment as defined in statute; and, updating work activity to light, moderate, and heavy in Subpart 3 so that it's consistent with the table in Subpart 2. The amendment also removes the upper limit of 500 kilocalories per hour for heavy work. This proposal also seeks to update *Minnesota Rules* 5205.0116 by clarifying that the permissible exposure limit for carbon monoxide in Minnesota workplaces is 35 parts per million as an eight-hour time-weighted average and 200 parts per million as a five-minute ceiling limit.

By this notice, MNOSHA is proposing to adopt these updates.

## Rules as Proposed

### Proposed Exempt Permanent Rules Adopting Federal OSHA Standards by Reference and Regulating OSHA Indoor Ventilation and Temperature in Places of Employment

#### 5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

[For text of subps 1 and 1a, see M.R.]

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

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

II. *Federal Register*, Volume 79, No. 70, pages 20315-20743, dated April 11, 2014: “Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule.”

[For text of subps 3 to 5, see M.R.]

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, the incorporation and redesignation of the regulatory text of the General Industry Occupational Safety and Health Standards (29 CFR Part 1910) that have been identified as applicable to construction work as published in the *Federal Register*, Volume 58, No. 124, dated June 30, 1993, and corrected in Volume 58, No. 143, dated July 28, 1993; and additional changes as follows:

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

Z. *Federal Register*, Volume 79, No. 70, pages 20315-20743, dated April 11, 2014: “Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule.”

[For text of subp 7, see M.R.]

# Exempt Rules

## 5205.0110 INDOOR WORKROOM VENTILATION AND TEMPERATURE IN PLACES OF EMPLOYMENT.

Subpart 1. **Air flow and circulation.** Air shall be provided and distributed in all indoor ~~workrooms~~ places of employment as required in this ~~code part~~, unless prohibited by process requirements.

~~Outside~~ Outdoor air shall be provided to all indoor ~~workrooms~~ places of employment at the rate of 15 cubic feet per minute per person.

Air circulated in any indoor ~~workroom~~ place of employment shall be supplied through air inlets arranged, located, and equipped so that the workers shall not be subjected to air velocities exceeding 200 feet per minute except under special circumstances specified in this ~~code part~~ or where approved by the Department of Labor and Industry.

Subp. 2. [Repealed, 21 SR 1897]

Subp. ~~2a~~ 2. **Heat stress conditions.** The requirements of this subpart cover employee exposure to indoor environmental heat conditions ~~indoors~~.

A. The following definitions apply when assessing and controlling health hazards associated with ~~extremes in temperature and humidity indoors~~ indoor climate.

(1) "Wet bulb globe temperature index" or "WBGT" means a measure of the combined effect of air temperature, air speed, humidity, and radiation.  $WBGT = 0.7 T_{nwb} + 0.3 T_g$ .

(2) "Natural wet-bulb temperature" or " $T_{nwb}$ " means temperature measured by a thermometer which has its sensor covered by a wetted cotton wick, exposed to natural air movement.

(3) "Globe temperature" or " $T_g$ " means temperature measured by a thermometer with its sensor inside a matte black globe, exposed to radiant heat, Vernon Globe or equivalent.

(4) "Heavy work" means 350 ~~to 500~~ or higher kcal/hr (kilocalories per hour), for example: heavy lifting and pushing, shovel work.

(5) "Moderate work" means 200 to 350 kcal/hr, for example: walking ~~about~~ with moderate lifting and pushing.

(6) "Light work" means up to 200 kcal/hr, for example: sitting or standing performing light hand or arm work.

B. Employees shall not be exposed to indoor environmental heat conditions in excess of the values listed in Table 1. The values in Table 1 apply to fully clothed acclimatized workers.

TABLE 1. Two-hour time-weighted average permissible heat exposure limits.	
Work Activity	WBGT, °F
Heavy work	77
Moderate work	80
Light work	86

C. Employees with exposure to heat shall be provided training according to part 5206.0700, subparts 1 and 3.

Subp. 3. ~~Minimum air temperature~~ **Cold conditions.** ~~Indoor workroom temperatures shall be maintained as follows: The requirements of this subpart cover employee exposure to indoor environmental cold conditions. The definitions in subpart 2 apply to this subpart.~~

A. ~~The Indoor~~ places of employment shall maintain a minimum air temperature of 60 degrees Fahrenheit ~~shall be maintained in all indoor workrooms where work of a strenuous nature where heavy work~~ is performed, unless prohibited by process requirements.

B. ~~The Indoor~~ places of employment shall maintain a minimum air temperature of 65 degrees Fahrenheit ~~shall be maintained in all~~



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## Exempt Rules

~~other indoor workrooms where light to moderate work is performed,~~ unless prohibited by process requirements.

Subp. 4. **Recirculated air.** Air from any exhaust system handling materials listed in *Code of Federal Regulations*, title 29, part 1910, subpart Z, shall not be recirculated without written permission from the Department of Labor and Industry.

Subp. 5. **Definitions.** For the purposes of this part, the following definitions apply.

A. "Indoor" means ~~any space between a floor and a ceiling that is bound on all sides by walls. A wall includes any door, window, retractable divider, garage door, or other physical barrier that is temporary or permanent, whether open or closed.~~

B. "Place of employment" has the meaning given in *Minnesota Statutes*, section 182.651, subdivision 10.

### 5205.0116 CARBON MONOXIDE MONITORING.

Subpart 1. **Internal combustion engine powered industrial trucks.** The employer shall monitor environmental exposure of employees to carbon monoxide whenever internal combustion engine powered industrial trucks as defined in *Code of Federal Regulations*, title 29, section 1910.178(a)(1), are operated indoors to ensure that carbon monoxide levels do not exceed ~~those given in *Code of Federal Regulations*, title 29, section 1910.1000, Table Z-1-A 35 parts per million as an eight-hour time-weighted average and 200 parts per million as a five-minute ceiling average.~~ The air monitoring shall be done at least quarterly and represent exposures during a day of highest usage in the areas where employee carbon monoxide exposure is most likely.

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

# Executive Orders

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

## Office of the Governor

### Executive Order 14-14: Providing for Increased State Employment of Individuals with Disabilities

**I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the State of Minnesota, the state's largest employer, can serve as a model for the employment of individuals with disabilities through improved recruitment, hiring, and retention;

**WHEREAS**, the Governor's Workforce Development Council identified individuals with disabilities as an underutilized source of talent necessary to meet workforce needs;

**WHEREAS**, the percentage of state employees self-identified as having a disability declined from approximately 10% in 1999 to less than 4% in 2013;

**WHEREAS**, the State of Minnesota has the responsibility to ensure that its workforce reflects the diversity of the state's population and is able to meet projected workforce shortages by ensuring all qualified individuals are recruited and retained;

**WHEREAS**, to be competitive in the global economy, the State of Minnesota must use the talents and important contributions of all workers, including individuals with disabilities; and

**WHEREAS**, Executive Order 13-01 appointed and charged an Olmstead Sub-Cabinet to swiftly implement standards set forth in the Olmstead decision and the mandates of Title II of the Americans with Disabilities Act (ADA) through coordinated efforts of designated State agencies. These efforts must ensure that all Minnesotans have the opportunity, both now and in the future, to live close to their families and friends, to live more independently, to engage in productive employment, and to participate in community life.

**NOW, THEREFORE**, I hereby order that:

1) In accordance with *Minnesota Statutes*, section 43A.19, all Executive Branch Agencies use their best efforts to comply with the Affirmative Action Goals set by Minnesota Management and Budget (MMB) stating that state agencies are to increase employment for people with disabilities to at least seven percent by August, 2018.

2) Within 120 days of this order, the Commissioner of MMB, Assistant Commissioner of Enterprise and Human Resources, and the State Director for Equal Opportunity, Diversity and Inclusion will design a model for recruitment and hiring strategies to increase employment of people with disabilities. These strategies will include required training programs for hiring managers and human resources personnel, and are to include clear benchmarks to ensure implementation of this order.

3) Each Executive Branch Agency develops an agency plan for promoting employment opportunities for individuals with disabilities. The plans are to include specific recruitment and training programs for employment. Plans should be developed in consultation with the Commissioner of MMB, and are to include clear performance targets and goals.

4) In implementing their plans, Executive Branch Agencies, to the extent possible and permitted by law, should use an on-the-job demonstration process pursuant to *Minnesota Statutes*, section 43A.15, subdivision 14. Additionally, MMB will work with Executive Branch Agencies to increase awareness of supported work and the 700-hour program which provides trial work experience, internship, and student worker opportunities for persons with significant disabilities.

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## Executive Orders

5) Through the implementation of revised hiring processes, MMB should collaborate with Minnesota IT Services to update hiring tools and ensure accessibility and usability for all people with disabilities applying for state jobs.

6) Within 120 days, the Commissioner of MMB shall implement a system for reporting quarterly to the Governor on the progress of individual Executive Branch Agencies in implementing their plans. MMB, to the extent permitted by law, shall compile and post on its website government-wide statistics on the progress made toward achieving the goals set forth in this order.

7) In keeping with the direction of the Olmstead Sub-Cabinet, every Executive Branch Agency will continue to report on competitive employment hiring financed by federal and state funding. This information should be compiled and shared publicly on each agency's website.

8) Members of the State Disability Agency Forum are to serve as advisors to the Commissioner of MMB, monitor the progress of the order, and make recommendations that help the state achieve its recruitment, retention, and hiring goals.

9) MMB should develop a procedure for Executive Branch Agencies to consult with MMB for final resolution prior to denying any applicant or employee reasonable accommodation due to lack of funding. MMB will work with agencies to improve the agencies' understanding of their responsibilities under the Americans with Disabilities Act and *Minnesota Statutes*, section 43A.191, subdivision 2(b)(3). The cost of reasonable accommodations and accessibility should not be a deterrent to hiring qualified individuals.

10) General Provisions

a. This order should be implemented consistent with *Minnesota Statutes*, section 43A.19. It should not be constructed to require any state employee to disclose disability status involuntarily.

b. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the state of Minnesota, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Pursuant to *Minnesota Statutes*, section 4.035, subdivision 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State, and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes*, section 4.035, subdivision 3.

**IN TESTIMONY WHEREOF**, I have set my hand on this 4<sup>th</sup> day of August, 2014.

Signed: **Mark Dayton**  
**Governor**

Filed According to Law:

Signed: **Mark Ritchie**  
**Secretary of State**

# Official Notices

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

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

## Executive Council State Board of Investment Land Exchange Board Investment Advisory Council Official Notice of Meetings on August 19 and September 9, 2014

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Tuesday, September 9, 2014 at 9:00 A.M. in Room 112, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, August 19, 2014 at 12:00 Noon at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

## Minnesota Department of Administration (Admin) Governor's Council on Developmental Disabilities Notice of Meeting Schedule for Federal Fiscal Year 2015

The Minnesota Governor's Council on Developmental Disabilities (GCDD) meets on the first Wednesday of the even-numbered months at the Continuing Education and Conference Center, University of Minnesota, St. Paul Campus, 1890 Buford Avenue, St. Paul, Minnesota 55108. Meetings are from 9:30 a.m. to 2:30 p.m. The meeting schedule for FFY 2014 is as follows:

October 1, 2014  
December 3, 2014  
February 4, 2015  
April 1, 2015  
June 3, 2015  
August 5, 2015

Under provisions of the Developmental Disabilities Assistance and Bill of Rights Act (P.L. 106-402), the GCDD's business - information, education, and training - is intended to increase the independence, productivity, self determination, integration and inclusion of people with developmental disabilities and their families in the community.

For further information, contact the GCDD by **phone:** (651) 296-4018; **toll free:** (877) 348-0505; **Minnesota Relay Service:** (800) 627-3529 or 711; **e-mail:** [admin.dd@state.mn.us](mailto:admin.dd@state.mn.us); or via **website:** <http://mn.gov/mnddc>.

Individuals needing accommodations should contact the GCDD at least 10 days in advance of the meeting date.

### Metropolitan Council

#### Notice of Public Comment Period and Public Hearing for the *2040 Housing Policy Plan*

The Metropolitan Council has released the *2040 Housing Policy Plan*, the housing chapter of the comprehensive development guide for the Twin Cities metropolitan area, for public comment.

The public is encouraged to view the plan and provide public comment, through **Friday, September 26**, as follows (comments must be received by **5 p.m.**):

- Written comments: Metropolitan Council  
390 N. Robert St., St. Paul, 55101
- Send TTY comments to: (651) 291-0904
- **E-mail:** [public.info@metc.state.mn.us](mailto:public.info@metc.state.mn.us)
- Record comments on Council's Public Comment Line at (651) 602-1500
- Submit comments through the Council's online Your Ideas site, at: <http://yourideas.metrocouncil.org/>.

The Metropolitan Council will hold one public hearing on the *2040 Housing Policy Plan*:

- **Monday, September 15, 5 p.m.**  
Metropolitan Council Chambers  
390 Robert Street North,  
St. Paul, MN 55101  
Served by many regional transit routes

All interested persons are encouraged to attend the public hearing and offer comments. Those attending may register in advance to speak by calling the Council at 651-602-1500. Upon request, the Metropolitan Council will provide reasonable accommodations to persons with disabilities. Advance notice, indicating the specific accommodation needed, is appreciated.

Staff will review public comment and evaluate changes to the proposed policies to address the comments submitted by the public. A recommendation for final adoption of the *2040 Housing Policy Plan* will be considered by the Metropolitan Council in November.

### Metropolitan Council

#### Notice of Request for Comments on the Disadvantaged Business Enterprise Program and Goal for Federal Fiscal Years 2014-2017

The Metropolitan Council's United States Department of Transportation (USDOT) Disadvantaged Business Enterprise Program (DBE) and goal request for federal fiscal years 2014 through 2017 has been submitted to the Federal Transportation Administration (FTA), pursuant to part 26 of the *Code of Federal Regulations*, Chapter 49.

The Metropolitan Council has approved an overall DBE goal of 15% for DOT-assisted contracts.

This goal and a description of how it was set is available for inspection during normal business hours at the Council offices for 45 days from the date of this notice. Comments, which are for information purposes only, may be sent to the Director, Office of Equal Opportunity, Metropolitan Council, 390 Robert Street North, St. Paul, MN 55101; or the U.S. Department of Transportation, 400 7th St., SW, Washington, DC 20590.

# Official Notices

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## Minnesota Pollution Control Agency (MPCA)

### Watershed Division

#### Public Notice of Availability of the Draft North Fork Crow River Bacteria, Nutrients and Turbidity TMDL Study Report and Request for Comment

Public Comment Period Begins: August 11, 2014  
Public Comment Period Ends: September 10, 2014

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Draft North Fork Crow River Bacteria, Nutrients and Turbidity Total Maximum Daily Load (TMDL) Report (Report). The draft TMDL Report for North Fork Crow River is available for review at <http://www.pca.state.mn.us/bkzqa2c>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person by the public comment period end date of September 10, 2014.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

The North Fork Crow River is located in central Minnesota, west of the Mississippi River. Portions of eight counties are included in the project area of approximately 185,000 acres. This report addresses seven impairments on six reaches and 34 lakes in the North Fork Crow River watershed. Impairments included in this report are four bacteria, three turbidity and 34 lake nutrients.

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

Maggie Leach  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425  
**Phone:** (218) 316-3895  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (218) 828-2594  
**E-mail:** [margaret.leach@state.mn.us](mailto:margaret.leach@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary Determination on the Draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above, and at the MPCA website: <http://www.pca.state.mn.us/bkzqa2c>.

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

Dated: August 2014,

# Official Notices

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## Minnesota Pollution Control Agency (MPCA)

### Watershed Division

#### Notice of Availability of the Draft Watershed Restoration and Protection Strategies Report and Total Maximum Daily Loads for the Mississippi River Lake Pepin Watershed and Request for Comment

**Public Comment Period Begins:**

**August 11, 2014**

**Public Comment Period Ends:**

**September 10, 2014**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the Watershed Restoration and Protection Strategies (WRAPS) Report and Total Maximum Daily Loads (TMDLs) for the Mississippi River Lake Pepin Watershed (note that this watershed does not include Lake Pepin or the Vermillion River watershed, only the small streams that drain to the Mississippi River from approximately Red Wing to Lake City). The draft WRAPS Report and TMDLs are available for review at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/mississippi-river-lake-pepin.html#overview>

The agency and partners invite the public to an open house about the study on Tuesday, Aug. 26, 2014 from 4:30-6:30 p.m. at the Frontenac Sportsman Club, 30301 Territorial Road, in Lake City.

Written comments on the draft WRAPS Report and TMDLs must be sent to the MPCA contact person listed below by September 10, 2014, 2014 4:30 p.m. The comments should indicate as to whether they are about the WRAPS Report or the TMDLs, and specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions of the two documents. Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

Required by the state Clean Water Legacy Act, a WRAPS Report is a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code 8. The WRAPS Report includes the physical, chemical, and biological assessment of the water quality in the watershed; identification of impairments and water bodies needing protection; and identification of biotic stressors and sources of pollution, point and nonpoint. The science, analysis and strategy development described in this Report began before accountability provisions were added to the Clean Water Legacy Act in 2013 (MS114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report. TMDLs are explained for the impairments and an implementation table is included with the strategies to achieve and maintain water quality standards and goals.

The TMDL Report focuses on pollution caused by excess bacteria and associated pathogens. Thus, the TMDL document builds on significant work already completed in southeast Minnesota. The TMDL Report is a scientific study that calculates the maximum amount of a pollutant that a water body can receive (known as the "loading capacity") without exceeding water quality standards.

The Mississippi River-Lake Pepin Watershed includes 205,747 acres that drain several small, coldwater streams in bedrock-dominated bluff country. The watershed consists of forests, bluff lands, and cultivated lands. The top of the watershed is rolling cropland interspersed by many small tributaries that drop steeply through forested valleys with scattered goat prairies atop cliffs. The tributaries form the named streams, which drain directly into the Mississippi River. The largest stream is Wells Creek (45,954 acres), which winds through 18 miles of bluff lands and joins the Mississippi near Old Frontenac, southeast of Red Wing. Hay Creek is a popular trout stream (30,405 acres) that flows from south to north, joining the Cannon River bottoms at Red Wing. Four other named streams are all designated trout waters, and drain directly to the Mississippi River: Bullard Creek, Gilbert Creek, Miller Creek, and Second Creek.

The Watershed Restoration and Protection Strategies Report and TMDLs for the Mississippi River Lake Pepin Watershed are being developed by a collaboration of state agencies and local watershed stakeholders.

**Agency Contact Person:** Written comments and requests for more information should be directed to:

Justin Watkins  
MPCA – Southeast Region  
18 Wood Lake Drive Southeast  
Rochester, Minnesota 55904

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## Official Notices

**Telephone:** (507) 206-2621  
**Minnesota Toll-Free:** 1-800-657-3864  
**Fax:** (507) 280-5513  
**E-mail:** [justin.watkins@pca.state.mn.us](mailto:justin.watkins@pca.state.mn.us)  
**Website:** <http://www.pca.state.mn.us/water/tmdl>  
**TTY** users may call the MPCA teletypewriter at 651-282-5332 or 800-657-3864.

**Preliminary Determination on the draft WRAPS and TMDL Reports:** The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval. A draft TMDL Report and factsheet are available for review at the MPCA office at the address listed below and at the MPCA Website:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/mississippi-river-lake-pepin.html#overview>

Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

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

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

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that may be held to solicit public comment and statements on matters before the MPCA, and help clarify parts of the document and resolve issues. A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons for holding a public informational meeting; and
4. The issues that you would like addressed at the public informational meeting.

**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal hearing before an administrative law judge that provides evidence on issues requested to be change. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft WRAPS and/or TMDL Reports; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS and/or TMDL Reports. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information:

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

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

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

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

# Official Notices

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whether to submit the WRAPS and/or TMDL Report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

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

## Minnesota Secretary of State

### Notice of REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Address Confidentiality Program of the Office of Secretary of State, *Minnesota Rules*, Chapter 8290; Revisor's ID No. 04288

**Subject of Rules.** The Office of the Secretary of State requests comments on its possible amendment to rules governing the address confidentiality program of the Office, known as "Safe At Home." The Office is considering rule amendments that relate to the program generally, including but not limited to amendments to reflect statutory changes made in recent years as well as: the manner, format content and procedures relating to applications to become a program participant; the requirements for, term of, renewal of or withdrawal of, certification as a program participant; the use of the designated address and the use or restrictions upon the use of the actual address of the participant; service of process upon program participants; the effect of reaching majority upon program participants who are minors; changes in program participant information on file at the address confidentiality program or failure to notify the program of changes in that information; school records of program participants; and application assistant certification and requirements, as well as other address confidentiality program related rule provisions that may arise but only as time permits, as well as changes suggested by the recipients of this request for comments, or the general public.

**Persons Affected.** The amendment to the rules would likely affect program participants, government offices, private businesses, landlords, law enforcement and the general public.

**Statutory Authority.** *Minnesota Statutes*, sections 5B.03, subd. 3 and 5B.08, authorize the Office to adopt rules for the administration of the program generally and establishing a renewal procedure.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Friday, October 10, 2014. The Office does not plan to appoint an advisory committee to comment on the possible rules. The Office of the Secretary of State also requests comments about the "cumulative effect of the rule with other federal and state regulations," as required by *Minnesota Statutes*, section 14.131(8).

**Rules Drafts.** The Office does not anticipate that a draft of the amendments will be available before the publication of the proposed rule amendments.

**Agency Contact Person.** Written comments, questions and requests for more information on these possible rules should be directed to: Julie Strother, Government Relations Director at Office of the Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King, Jr. Boulevard, Saint Paul MN 55155, **phone:** (651) 296-9073, **fax:** (651) 201-1342 (Office) or **e-mail:** [julie.strother@state.mn.us](mailto:julie.strother@state.mn.us). **TTY** users may call the Office at 711.

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

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and

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## Official Notices

you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: August 4, 2014

Mark Ritchie  
Minnesota Secretary of State

### **Minnesota Department of Transportation (Mn/DOT) Notice to Bidders: Suspensions/Debarments as of July 28, 2014**

#### **NOTICE OF SUSPENSION**

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be suspended effective July 8, 2014:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be suspended effective July 16, 2014:

- Jeffrey Plzak, Loretto, MN
- Laurie Plzak, Loretto, MN
- Honda Electric Incorporated, Loretto, MN
- Honda Electric Logistics, Loretto, MN

#### **NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller's or transfer's debarment.

### **Minnesota Department of Transportation (Mn/DOT) Office of Transportation System Management Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2015-2016-2017-2018 (July 1, 2014 through June 30, 2018)**

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft list of projects to be included in the *State Transportation Improvement Program (STIP)* for state fiscal years 2015-2016-2017-2018 (July 1, 2014 through June 30, 2018). The program of transportation projects annually utilizes about \$590 million federal funds, \$290 million of state trunk

# Official Notices

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highway funds, plus funds from trunk highway bonds, local agencies and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; Transportation Alternative Program (TAP) projects; Congestion Mitigation and Air Quality (CMAQ) projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The draft list of projects in the STIP is available for review at the Department of Transportation District Offices:

- District 1 – Duluth, 1123 Mesaba Avenue, Duluth, MN 55811 - Phone (218) 725-2700
- District 2 – Bemidji, 3920 Highway 2 West, Bemidji, MN 56601 - Phone (218) 755-6500
- District 3 – Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096 - Phone 1-800-657-3971
- District 4 – Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501 - Phone 1-800-657-3984
- District 6 – Rochester, 2900 48<sup>th</sup> Street NW, Rochester, MN 55901-5848 - Phone (507) 286-7500
- District 7 – Mankato, 2151 Bassett Dr, Mankato, MN 56001-6888 - Phone 1-800-657-3747
- District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201 - Phone 1-800-657-3792
- Metro District – Water's Edge Building, 1500 W. Co. Rd. B-2, Roseville, MN 55113-3174 - Phone (651) 234-7500  
Or the Office of Transportation System Management, Mail Stop 440, 395 John Ireland Boulevard,  
Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by 4:30 p.m. on August 19, 2014. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to:

Deb Peña  
Office of Transportation System Management  
Minnesota Department of Transportation  
Mail Stop 440  
395 John Ireland Boulevard  
St. Paul, MN 55155  
**E-mail:** *Debbie.Pena@state.mn.us*  
**Phone:** (651) 366-3775  
**Office Phone:** (651) 366-3798



## 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.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Minnesota Department of Corrections (DOC) Notice of Request for Proposals to Provide American Indian Offender Reintegration Services

The Minnesota Department of Corrections (DOC) is seeking proposals to provide risk-reduction services with a preference for culturally specific programming which includes but is not limited to American Indian offenders. These funds are specifically intended for offenders residing in rural northern Minnesota counties. The funded program must demonstrate an improvement to public safety while reducing recidivism through collaborative partnerships in the following Minnesota locations: Location 1 - Becker, Beltrami, Cass, Clearwater, Hubbard, Itasca, and Mahnomen Counties; and Location 2 - Mille Lacs County. The county of residence must be one of the counties in Location 1 or Location 2.

No more than two grants will be awarded. The term of this grant is anticipated to run from October 1, 2014 to September 30, 2015. The total amount of funding for one year in Location 1 is \$200,000.00 and Location 2 is \$50,000.00. Responder's proposals may address one or both locations. The grant will be financed from funds made available through the DOC. The DOC may elect to extend the grant for three one-year terms based upon satisfactory delivery of services and appropriate funding levels.

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

The deadline for proposal submission is 1:00 p.m. CDT on September 3, 2014. The full RFP will be sent free of charge in response to requests to the contact person listed below.

Diane Lunda  
Department of Corrections  
Grants and Subsidies Unit  
1450 Energy Park Drive Suite 200  
St. Paul, MN 55108-5219  
**E-mail:** [Diane.Lunda@state.mn.us](mailto:Diane.Lunda@state.mn.us)

## State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

**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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWFT system.

## Minnesota Department of Agriculture (MDA) Notice of Request for Proposals for Anhydrous Ammonia Inspector Certification Study Manual, Learning Objectives and Written Exam Questions

The Minnesota Department of Agriculture is requesting proposals for the purpose of creating an anhydrous ammonia inspection certification study manual complete with inspector certification learning objectives and written exam questions. The study manual, learning objectives and written exam questions will serve as the basis for the anhydrous ammonia inspector certification classroom training, written exam, practical training and skills test. This study manual will clearly lay out the guidelines of the MDA's anhydrous ammonia inspection process per Minnesota Rules, Parts 1513 and 1514 using materials provided by the MDA for the development of the manual. Work is proposed to start after October 30, 2014.

A Request for Proposals will be available from this office through August 29, 2014.

The Request for Proposal can be obtained from:

Katie Wolf  
Minnesota Department of Agriculture  
625 Robert Street North  
St. Paul, MN 55155  
Phone: (651) 201-6659

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than September 15, 2014. **Late proposals will NOT be considered.** Faxed proposals will **NOT** be considered.

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

## Minnesota State Colleges and Universities (MnSCU) / State Department of Administration (Admin) State Designer Selection Board Project No. 14-08 Notice of Availability of Request for Proposal (RFP) for Designer Selection for St. Cloud State University – Student Health and Academic Renovation

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at

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## State Contracts

<http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 14-08).

A **MANDATORY** informational meeting is scheduled for **Tuesday, August 12 at 10:00 AM** Central Time at St. Cloud State University, Atwood Memorial Center, 720 4th Ave. S., St. Cloud, MN 56301-4498, in the Glacier North room.

Any questions should be directed by email only, to John Frischmann at [jmfrischmann@stcloudstate.edu](mailto:jmfrischmann@stcloudstate.edu). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Monday August 18, 2014** no later than **12:00 noon** Central Time.

Proposals must be delivered to Talia Landucci Owen, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2372) not later than **12:00 noon on Monday, August 25, 2014**. 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) St. Cloud Technical & Community College Formal Request for Proposal for Curriculum Development and instruction: Precision Machining, Finishing, Welding, and Machine Programming and Operation

Response Due Date and Time: Monday, August 25, 2014 at 3:30:00 p.m. Central Time. The complete Request for Proposal will be available on Monday, August 11, 2014 on the website: <http://www.sctcc.edu/rfp>.

**Title of Project:** Curriculum Development and instruction: Precision Machining, Finishing, Welding, and Machine Programming and Operation.

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303.

Responses must be received at the location listed below:

St. Cloud Technical & Community College  
1540 Northway Drive  
St. Cloud, MN 56303  
Susan Meyer, Purchasing Agent, Room 1-401  
**Phone:** (320) 308-5973  
**Fax:** (320) 308-5027  
**E-mail:** [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Contact for questions: Susan Meyer, Phone: (320) 308-5973, e-mail: [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected. The *Laws of Minnesota* and MnSCU Board of Trustees policies and procedures apply to this RFP.

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

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

# State Contracts

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## Minnesota Department of Employment and Economic Development (DEED)

### State Services for the Blind

#### Notice of Availability of Contract for Introduction to Blindness and Visual Impairment – Phase II Training

The Minnesota Department of Employment and Economic Development is requesting proposals for the purpose of *Providing State Services for the Blind staff with:*

- A.) A six week “Introduction to Blindness and Visual Impairment - Phase II” training under the blindfold program with curriculum content covering topics in communication skills, travel training, independent living skills, and facilitated structured group discussion. The outcomes expected for each of these topic areas is outlined in the next section.
- B.) A one week “Introduction to Blindness and Visual Impairment - Phase II” training using vision loss simulators in order to gain perspective on how common eye conditions affect customers, and the relative value and importance of alternative techniques covering topics in communication skills, travel training, and independent living skills.
- C.) Optional training daily and weekly rate-Occasionally an individual staff is hired in a position that does not necessitate the entire six weeks of Phase II training, but would benefit from some exposure to the training as defined under A and B.

Work is proposed to start after **9/30/2014**.

A Request for Proposals will be available by mail from this office through **August 18, 2014**. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After **August 18, 2014**, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

John Hulet  
Department of Employment and Economic Development  
State Services for the Blind  
2200 University Avenue #240  
St. Paul, MN 55114-1840  
**Phone:** (651) 539-2284  
**E-mail:** [john.hulet@state.mn.us](mailto:john.hulet@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **September 1, 2014**. **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.

## Minnesota 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

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## State Contracts

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 expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

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

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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

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

## Minnesota Zoo

### Notice of Request for Proposals for Minnesota Zoo Amphitheater Assessment and Design

The Minnesota Zoo requests proposals for the architectural and engineering assessment and subsequent construction recommendation for the Weesner Family Amphitheater. The Weesner Family Amphitheater measures approximately 12,000 square feet and contains 1,450 seats. It was constructed in 1991. The assessment and report are to be thorough and must, at a minimum, address the following items: concrete/structural testing, steel systems evaluation, roof canopy structure and condition, site evaluation/design recommendations, architectural needs evaluation/recommendations, code compliance, and life safety and electrical systems evaluation. Upon completion of the construction recommendation report, the contract may enter into a second phase. The second phase of the project involves the design and construction administration for the renovation of the Amphitheater.

Project details are included in the complete Request for Proposals which is available by request. To access the RFP, e-mail Zach Eling, Minnesota Zoo Project Manager at: [Zachary.eling@state.mn.us](mailto:Zachary.eling@state.mn.us). The deadline for submitting a proposal is 11:00 AM., CST, August 21, 2014

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



### Several convenient ways to order:

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

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

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

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

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

City (      ) State Zip

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

#### Shipping Charges

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
* \$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.	
More than \$1,000	Call

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

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

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

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

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

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

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

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