

2890.1000 WRITTEN PROPOSAL AND COST SUMMARY REQUIREMENTS FOR CONSULTANT SERVICES.

Subpart 1. **Written proposal.** Costs incurred for consultant services are prima facie unreasonable when the applicant has not obtained a written proposal for consultant services according to this part. The applicant must get proposals for consultant services only from persons who are registered with the board as consultants. A proposal for a step of services must be on the form prescribed by the board for that step of services.

Subp. 2. **Excavation and soil disposal oversight before investigation.** An applicant is not required to get a written proposal for the following consultant services when they are performed as part of excavation and soil disposal oversight that occurs before the first limited site investigation or full remedial investigation of the leak site occurs:

- A. AST soil sampling;
- B. composted soil sampling;
- C. contaminated stockpile soil sampling;
- D. excavation report preparation;
- E. excavation soil sampling;
- F. field work notification and scheduling;
- G. groundwater sampling (other than permanent monitoring well);
- H. land-treated soil sampling;
- I. sample shipping and transportation;
- J. state duty officer emergency contact; and
- K. utility clearance.

Subp. 3. **Steps of services.** A written proposal for consultant services must be approved by the applicant for each necessary step of services. The applicant must approve in writing a written proposal for a step of services before incurring costs for that step of services.

Subp. 4. **Emergency services.** An applicant is not required to get a written proposal for consultant services that are required by emergency conditions that pose such a threat to the public health and welfare or the environment that there is not sufficient time to get a proposal for the necessary services.

Subp. 5. **Notarization required.** The applicant's signature indicating acceptance of a written proposal for consultant services must be dated with the date on which the applicant approves the proposal in writing and must be notarized. If the proposal is not in compliance

with any of these conditions, it is not a valid competitive proposal for the purposes of this chapter.

Subp. 6. **Cost summary.** Costs incurred for consultant services that are not summarized on a form prescribed by the board are prima facie unreasonable. The cost summary form prescribed by the board must be according to parts 2890.1000 to 2890.2200.

Statutory Authority: *MS s 115C.07*

History: *20 SR 227; 28 SR 383; 30 SR 1003*

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