

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 22 October 2012  
Volume 37, Number 17  
Pages 615 - 642**

# State Register

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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- Withdrawn Rules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. 37 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> 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
# 18	Monday 29 October	Noon Tuesday 23 October	Noon Wednesday 17 October
# 19	Monday 5 November	Noon Tuesday 30 October	Noon Wednesday 24 October
# 20	<b>TUESDAY 13 NOVEMBER</b>	Noon Tuesday 6 November	Noon Wednesday 31 October
# 21	Monday 19 November	Noon Tuesday 13 November	Noon Wednesday 7 November

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

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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.

## Minnesota Rules

appearing in Volume 37, #14-17

Monday 1 October - Monday 22 October 2012

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# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

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

**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.

## Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Designated Special Management Waters; Upper Red Lake and Listed Tributaries Red Lake Walleye Regulations

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, Sections 97C.005, 97A.045, subd. 2, and 97C.401.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows. The Red Lake proposed walleye regulations are based on a safe harvest level that is proportioned between the winter and open water seasons. Final harvest threshold levels to be included in the proposed rules were not available until August and the new regulations need to be in place by the winter fishing season (December 1), which is the beginning of the next harvest year. This short time frame does not allow adequate time to use the Chapter 14 rule process.

Dated: 2 October 2012

Tom Landwehr, Commissioner  
Department of Natural Resources

### 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 3, see M.R.]

[For text of subp 4, see 36 SR 1252]

[For text of subps 5 to 14, see M.R.]

[For text of subp 15, see 36 SR 501]

[For text of subps 16 to 18, see M.R.]

[For text of subp 19, see 36 SR 501]

[For text of subps 20 and 21, see M.R.]

[For text of subp 22, see 36 SR 505]

[For text of subps 23 to 48, see M.R.]

[For text of subp 49, see 36 SR 505]

[For text of subps 50 to 58, see M.R.]

#### Subp. 59. Upper Red Lake and listed tributaries.

A. While a person is on or fishing in the waters listed under item E:

[For text of subitems (1) to (3), see M.R.]

B. While a person is on or fishing in the waters listed under item E:

(1) the daily and possession limit for walleye is ~~two~~ four fish, of which not more than one walleye shall be over 26 inches in length;

(2) beginning June 15, 2012, and effective through February 24, 2013, all walleye in possession must be less than ~~47~~ 20 inches or greater than 26 inches in length. All walleye that are 20 inches to 26 inches in length, inclusive, must be immediately returned to the water;

# Expedited Emergency Rules

~~(3) beginning May 11, 2013, and effective through June 14, 2013, all walleye in possession must be less than 17 inches or greater than 26 inches in length. All walleye that are 17 inches to 26 inches in length, inclusive, must be immediately returned to the water; and~~

~~(4) a person's statewide bag limit shall not include more than two walleye taken from Upper Red Lake and the tributaries listed under item C; beginning June 15, 2013, and effective through February 23, 2014:~~

~~(a) if total walleye harvest from December 1, 2012, through February 24, 2013, is less than 145,000 pounds, all walleye in possession must be less than 20 inches or greater than 26 inches. All walleye that are 20 inches to 26 inches, inclusive, must be immediately returned to the water; or~~

~~(b) if total walleye harvest from December 1, 2012, through February 24, 2013, is greater than 145,000 pounds, all walleye in possession must be less than 17 inches or greater than 26 inches. All walleye that are 17 inches to 26 inches, inclusive, must be immediately returned to the water; and~~

~~(5) beginning May 10, 2014, and effective through June 14, 2014, all walleye in possession must be less than 17 inches or greater than 26 inches in length. All walleye that are 17 inches to 26 inches, inclusive, must be immediately returned to the water.~~

~~C. Notwithstanding item B, the waters listed in item E are closed to taking or angling for walleye at all times if the walleye cumulative kill estimate in any harvest year beginning December 1 through November 30 at any time equals or exceeds 240,000 pounds. If this item is implemented, the commissioner shall post a notice on the Department of Natural Resources Web site and at water access sites. This item is effective five days after notice through November 30. On December 1, the daily and possession and size limits for walleye revert to the limits in item B.~~

~~D. A person's statewide bag limit and possession limit shall not include more walleye taken from Upper Red Lake and the tributaries listed under item E than is allowed under item B.~~

~~E. This subpart applies to the following waters:~~

Name	Location	County
Upper Red Lake (outside Red Lake Indian Reservation)	T.153, R.31,32, S. Various; T.154, R.30-32, S. Various; T.155, R.30-32, S. Various	Beltrami
Shotley Brook (from Hwy. 72 west to Upper Red Lake)	T.153, R.31, S.10,11,13,14,24; T.153, R.30, S.19-22	Beltrami
Tamarack River (from the Beltrami County line west to Upper Red Lake)	T.154, R.30, S.8-10,11-13,15-17	Beltrami

~~[For text of subp 60, see M.R.]  
[For text of subp 61, see 36 SR 505]  
[For text of subps 62 to 71, see M.R.]  
[For text of subp 72, see 36 SR 501]  
[For text of subps 73 to 96, see M.R.]  
[For text of subp 97, see 36 SR 505]  
[For text of subps 98 to 109, see M.R.]~~

~~**REPEALER.** The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 59, published in the *State Register*, volume 35, page 1649, April 25, 2011, are repealed.~~

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# Expedited Emergency Rules

## Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Taking Lynx Lynx Management Zone

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.605, 97B.621, 97B.625, 97B.631, 97B.635, 97B.911, 97B.915, 97B.921, 97B.925.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows: Rule changes are made to comply with a federal court order that directs the Minnesota DNR to implement regulatory and programmatic changes to restrict, modify, or eliminate the incidental taking of Canada Lynx through trapping activities in the core Canada Lynx ranges.

The federal court order remains in effect until the U.S. Fish and Wildlife Service issues an incidental take permit, which could require further changes to lynx rules. The 18-month effective time of rules under *Minnesota Statutes* 84.027 subdivision 13(b) best accommodates the incidental take permit process. Once the incidental take permit is finalized, the DNR will begin a permanent rulemaking process.

Dated: October 2, 2012

Tom Landwehr, Commissioner  
Department of Natural Resources

### 6234.1000 DESCRIPTION OF FURBEARER ZONES.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Lynx Management Zone.** That portion of the state lying north and east of a line beginning on U.S. Highway 53 at the east boundary of the state; thence along U.S. Highway 53 to the north boundary of the state is known as the Lynx Management Zone.

### 6234.2200 USE OF TRAPS.

[For text of subps 1 to 5, see M.R.]

Subp. 5a. **Body-gripping traps in Lynx Management Zone.** In the Lynx Management Zone, a person may not set, place, or operate, except as a waterset, any body-gripping or “conibear” type trap that has a maximum jaw opening, when set, of greater than five inches and less than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws, unless the trap is set:

A. at least three feet above the ground or snow level in a tree;

B. at least three feet above the ground or snow level on a leaning pole six inches or less in diameter; or

C. in a cubby box recessed at least seven inches from the box opening, which must be less than 50 square inches in opening size. A cubby box may be constructed of any material, but must be constructed and set in a manner that only allows an animal to enter through the cubby box opening.

[For text of subps 6 to 11, see M.R.]

[For text of subp 12, see 37 SR 167]

Subp. 13. **Trap staking and tethering in Lynx Management Zone.** In the Lynx Management Zone, except for watersets, all traps must be staked or otherwise secured by tethering chains or cables not more than 18 inches long, in a manner that prevents captured animals from removing the trap from the trap site.

Subp. 14. **Trap tether swivels.** In the Lynx Management Zone, except for watersets, all leghold traps must have two or more swivels in the tethering chain or cable.

Subp. 15. **Bait restrictions.** In the Lynx Management Zone, the use of fresh meat, rabbits or hares, or the parts of rabbits or hares as bait is prohibited. Other meat may be used as bait if it has been unfrozen and exposed to air for at least 24 hours before being placed in a trap.

Subp. 16. **Sight attractant restrictions.** In the Lynx Management Zone, the use of suspended flags or other sight attractants within

# Expedited Emergency Rules

20 feet of a trap is prohibited.

## 6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

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

[For text of subp 2, see 37 SR 167]

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

Subp. 8. **Snare loop diameter.** The diameter of a snare loop may not exceed ten inches. In the Lynx Management Zone, the diameter of a snare loop must be at least eight inches when set on land.

Subp. 9. **Snare cable diameter.** Snare cable or wire may not exceed one-eighth inch in diameter. In the Lynx Management Zone, snare cable or wire must be at least 5/64 inch in diameter when set on land.

[For text of subp 10, see M.R.]

## 6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.

The restrictions in items A ~~and B~~ to C apply to the possession and transportation of accidental captures.

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

C. A person must report any incidental taking of a Canada lynx to the local conservation officer within 24 hours.

**REPEALER.** The expedited emergency amendments to *Minnesota Rules*, parts 6234.1000; 6234.2200; 6234.2400; and 6234.2700, published in the *State Register*, volume 35, page 1915, June 6, 2011, are repealed.

## Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

**KEY:** Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

## Department of Revenue

### Revenue Notice # 12-10: Tobacco Products Tax – Taxability – E-Cigarettes

#### Introduction

An electronic cigarette, or e-cigarette, is an electrical device that simulates the act of cigarette tobacco smoking by producing an inhaled vapor bearing the physical sensation, appearance, and often the flavor, of inhaled tobacco smoke. The e-cigarettes do not meet the definition of a cigarette set forth in *Minnesota Statutes*, section 297F.01, subdivision 3, but they do meet the definition of a tobacco product set forth in *Minnesota Statutes*, section 297F.01, subdivision 19, which provides in part as follows:

“‘Tobacco products’ means any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product...”



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## Revenue Notices

The key phrases in the statute that establish the taxability of an e-cigarette are (1) “any product containing, made, or derived from tobacco...” (2) “...whether ... smoked, ...or inhaled...” and (3) “...any component, ...or accessory of a tobacco product...”

### Department Position

The department’s position is that the e-cigarettes are subject to the tobacco products tax. The cartridge containing nicotine is a component of the e-cigarette. The cartridge contains nicotine which is ordinarily derived from tobacco and is used by a person by smoking them or inhaling. The department assumes that all nicotine is derived from tobacco and the taxpayer will bear the burden of proving otherwise. If it can be documented that the nicotine has been derived from sources other than tobacco, it would not be taxable as a tobacco product.

Further, the department’s position is that if a wholesaler sells the cartridge separately and can isolate the cost of the product, the tax will be imposed only on the nicotine based cartridges or liquid nicotine in a bottle. Otherwise, the sales price of a whole kit or content of an e-cigarette package will be taxed. The tax is due and is determined on whatever format the product is brought into the state.

Publication Date: October 22, 2012

Susan Von Mosch, Assistant Commissioner  
for Tax Policy  
Department of Revenue

## 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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# Official Notices

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## Minnesota Higher Education Facilities Authority (MHEFA) Notice of Public Hearing on Revenue Obligations on behalf of Macalester College

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Macalester College (the "College"), as owner and operator of Macalester College, at the Authority's offices at 380 Jackson Street, Suite 450, Saint Paul, Minnesota on Wednesday, November 7, 2012 at 3:00 p.m.

Under the proposal, the Authority would issue its revenue bonds or other obligations in the maximum principal amount of \$15,750,000 to finance a project (the "Project") consisting of (a) the second phase of renovation and expansion of the Janet Wallace Fine Arts Center complex including renovation, construction, equipping and furnishing of the approximately 35,000 square foot studio arts portion of the complex; and (b) replacement of a portion of the boiler capacity in the College's heating plant; together with all related improvements, upgrades and site work; all owned or to be owned and operated by the College and located on the College's campus, the principal street address of which is 1600 Grand Avenue, Saint Paul, Minnesota.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: October 22, 2012

By Order of the  
Minnesota Higher Education Facilities Authority  
Marianne Remedios, Executive Director

## Department of Human Services (DHS) 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.

*Minnesota Statute* 256B.0625 subd. 13e (e) gives the commissioner the authority to negotiate reimbursement rates for specialty pharmacy products. The commissioner employs a Specialty Maximum Allowable Cost (Specialty MAC) reimbursement methodology for specialty products. Specialty pharmaceutical products include injectable and infusion therapies, biotechnology drugs, antihemophilic factor products, high-cost therapies, and therapies that require complex care.

No earlier than October 23, 2012 the Department may add the following outpatient prescribed drugs to the state MAC list:

**Drug UPC Name:**

STIVARGA  
AUBAGIO  
ZOMETA

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 \$30,000.00 for State Fiscal Year 2013 (July 1, 2012 through June 30, 2013).

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:

Sara Drake R.Ph., Pharmacy Program Manager  
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 Natural Resources (DNR)**

### **ADDENDUM to: Notice of State Land Sale**

The notice that was published in last week's issue (37 SR 524, Monday 8 October 2012) had the wrong times listed for this sale. The sale will take place on Wednesday 7 November 2012 in St. Paul at **10:00 am with registration at 9:30 am**.

## **Minnesota Pollution Control Agency (MPCA)**

### **Watershed Division**

### **Notice of Availability of the Draft Chisago Lakes Chain of Lakes Total Maximum Daily Load (TMDL) Report and Request for Comment**

**Public comment period begins:**

**October 22, 2012**

**Public comment period ends:**

**November 21, 2012**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Chisago Lakes Chain of Lakes Total Maximum Daily Load (TMDL). The aquatic life use and aquatic recreation use of 9 lakes within Chisago Lakes Chain of Lakes in Chisago County are impaired because they do not meet state water quality standards for excess nutrients (phosphorus).

North Center Lake (DNR-ID 13-0032) South Center Lake (DNR-ID 13-0027), Wallmark Lake (DNR-ID 13-0029), Little Lake (DNR-ID 13-0033), Ogren Lake (DNR-ID 13-0011), Linn Lake (DNR-ID 13-0014), Pioneer Lake (DNR-ID 13-0034), School Lake (DNR-ID 13-0044), and Lake Emily (DNR-ID 13-0046) are all listed on the 303(d) list of impaired water bodies for aquatic life use and aquatic recreation use based on the North Central Hardwood Forest Eco-region standards for either deep or shallow lakes. Based on the information collected, South Center Lake, Little Lake, and Ogren Lake are the only three deep lakes in this study. All of the rest of the lakes in this study are therefore shallow lakes and are held to different standards due to their unique characteristics.

The data collected on these lakes indicated a declining trend in water quality due to excessive watershed loading and lake sediment-phosphorus sources. The TMDL linkage analysis indicates that phosphorus reductions ranging from 18 percent to 96 percent between all 9 lakes is necessary to achieve their water quality standards. For all of these lakes phosphorus reduction activities will need to target runoff from watershed sources such as, agricultural areas, internal loading, septic systems, residential storm water, and minor sources such as wildlife and pets.

This project has local support from the Chisago Soil and Water Conservation District, Chisago County, Chisago Lakes Lake Improvement District, and several other local, state, and federal agencies. These local efforts will proceed with determining further implementation strategies and obtaining public input. The draft TMDL report outlines possible strategies for implementation.

The strategy to bring about the necessary reductions is outlined in the implementation section of the report. The next step will be the development of an implementation plan to identify specific measures to reduce the current sources of phosphorus reaching both of the lakes.

**Preliminary Determination on the Draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this draft TMDL report to the U.S. Environmental Protection Agency (EPA) for final approval. A draft TMDL report and fact sheet are available for review at the MPCA office at the address listed below and at the MPCA website:

# Official Notices

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<http://www.pca.state.mn.us/pyri9fd>

**Written Comments:** You may submit written comments on the draft TMDL report or on the MPCA 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 report that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Written comments on the draft TMDL report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on November 21, 2012. The MPCA will prepare responses to comments received, make any necessary revisions of the draft TMDL report and submit it to the EPA for approval.

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

Christopher Klucas  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155  
**Phone:** (651) 757-2498 (direct)  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (651) 297-8676  
**E-mail:** [christopher.klucas@state.mn.us](mailto:christopher.klucas@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Petition for Public Informational Meeting:** You may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the TMDL study and process, 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 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 an 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 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 also submit a petition to the Commissioner requesting that the MPCA Citizen's 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. According to *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 comment, requests, and petitions submitted on or before the last day of the 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.

October, 2012

## Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

### NOTICE OF SUSPENSION

**NOTICE IS HEREBY GIVEN** that the Department of Transportation ("MnDOT") has ordered that the following vendors be suspended for a period of sixty (60) days, effective October 3, 2012 until December 2, 2012:

- 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
- Danner Environmental, 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 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

# Official Notices

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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.

## 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.

## Grant Funds and Loans

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 \$10.20 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:

- **Word Search Capability**
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It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Minnesota Department of Health (MDH)

### Office of Rural Health and Primary Care

## 2012-2013 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 17, 2012 and will be available October 15, 2012 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 Will Wilson, Minnesota Department of Health, Office of Rural Health and Primary Care at (651) 201-3842 or e-mail: [will.wilson@state.mn.us](mailto:will.wilson@state.mn.us)

## Minnesota Department of Human Services (DHS) Disability Services Division

### Notice of Request for Proposals to Provide Consultation, Evaluation, and Information for Counties, Tribes, Individuals, Families and Providers on the Use of Assistive Technology for People with Disabilities of All Ages Who Live in Their Own Homes and Are Eligible for Home Care or Home and Community Based Waiver Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide consultation, evaluation, and information for counties, tribes, individuals, families and providers on the use of assistive technology for people with disabilities of all ages who live in their own homes and are eligible for home care or home and community based waiver services.

Work is proposed to start January 7<sup>th</sup>, 2013. For more information, or to obtain a copy of the Request for Proposal, contact:

Melanie Fry  
Department of Human Services  
Disability Services Division  
P.O. Box 64967  
444 Lafayette Road North  
St. Paul, MN 55155-0967  
**E-mail:** [Melanie.fry@state.mn.us](mailto:Melanie.fry@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, November 26<sup>th</sup>, 2012. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

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.

# State Contracts

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

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

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

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and

anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## On-going State Contracts

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 \$10.20 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:

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## Department of Administration (Admin)

### Real Estate and Construction Services

### Notice of Availability of Request for Proposal (RFP) for Commissioning Services for Repairs, Restoration and Preservation to the Minnesota State Capitol Building

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, Department of Administration, Real Estate and Construction Services, is in need of commissioning services by a qualified Commissioning Authority/Agent (CxA) for all phases of the above-referenced project.

A full Request for Proposals is available on the Department of Administration, Real Estate and Construction Services website:

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

Project questions will be taken by Talia Landucci Owen at [talia.landucci-owen@state.mn.us](mailto:talia.landucci-owen@state.mn.us). Questions regarding this RFP must be received by Thursday, November 1, 2012 at 3:30 p.m. C.T

Proposals must be received by the Real Estate and Construction Services, Department of Administration, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, Attn.: Talia Landucci Owen, no later than Tuesday, November 13, 2012 by 12:00 noon C.T. Late responses will not be considered. **\*Note, State offices will be closed on Monday, November 12, 2012, in observance of Veterans Day; therefore, deliveries cannot be accepted on that date.**

The Department of Administration, Real Estate and Construction Services Division 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. All expenses incurred in responding to this notice are solely the responsibility of the responder.



**Department of Administration (Admin)**  
**State Designer Selection Board Project No. 12-14**  
**Notice of Availability of Request for Proposal (RFP) for Designer Selection for**  
**Minnesota Department of Transportation, Addition and Renovations to the**  
**Existing MNDOT Crookston District 2B Headquarters, Crookston, Minnesota**

The State of Minnesota, Department of Administration 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 Transportation website: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) click on "P/T Notices."

Proposals must be delivered to Kathy Grochowski, State Designer Selection Board, 309 Administration Building in Real Estate and Construction Services, 50 Sherburne Ave., St. Paul, MN 55155; phone: (651) 201-2389 not later than 12:00 noon C.D.T., Tuesday, November 13, 2012. Late responses will not be considered.

Minnesota Department of Transportation 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.

**Department of Administration (Admin)**  
**State Designer Selection Board Project No. 12-15**  
**Notice of Availability of Request for Proposal (RFP) for Designer Selection for**  
**Minnesota Department of Transportation, Addition and Renovations to the**  
**Existing MNDOT Mendota Heights Truck Station, Mendota Heights, Minnesota**

The State of Minnesota, Department of Administration 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 Transportation website: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) click on "P/T Notices."

Proposals must be delivered to Kathy Grochowski, State Designer Selection Board, 309 Administration Building in Real Estate and Construction Services, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2389, not later than 12:00 noon C.D.T., Tuesday, November 19, 2012. Late responses will **NOT** be considered.

Minnesota Department of Transportation 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)**  
**Anoka-Ramsey Community College**  
**Request for Proposals for Printing and Mail Preparation for the Public Art Work for**  
**Music Building**

**NOTICE IS HEARBY GIVEN** that Anoka-Ramsey Community College will receive proposals for public art work for the newly remodeled Music Building located at the Coon Rapids Campus of Anoka-Ramsey Community College. Specifications are available on the

# State Contracts

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website <http://www.anokaramsey.edu/IT/proposal.cfm>.

Copies of the specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or [mirela.gluhic@anokaramsey.edu](mailto:mirela.gluhic@anokaramsey.edu). Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433, by 4:00 p.m. on December 21, 2012.

Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

## **Minnesota State Colleges and Universities (MnSCU) Winona State University Notice of Availability of Request for Proposal (RFP) for Designer Selection for Kryzsko Commons Addition and Renovation**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Winona State University, Winona, Minnesota, is seeking a designer for the above referenced project.

A full Request for Proposal is available at <http://www.winona.edu/facilities/projects.asp>.

A non-mandatory informational meeting has been scheduled for 2:00 pm CST on October 29, 2012 at Winona State University's Facilities Services Building Conference Room 202.

All questions shall be e-mailed to the project contact person listed in the RFP. All questions will be answered by website addenda. It shall be the Respondent's responsibility to check the website for any such addenda or updated information.

Proposal responses are due by 3:00 p.m. CST on November 6, 2012. Late Responses will not be considered.

Proposals must be delivered to: Steve Ronkowski  
Winona Statue University  
Facilities Planning and Construction Office 203B  
175 West Mark Street  
Winona, MN 55987  
E-mail: [sronkowski@winona.edu](mailto:sronkowski@winona.edu)

Minnesota State Colleges and Universities System 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.

## **Department of Commerce Notice of Availability of Contract for Actuarial Consulting Services for Medical Rate Review Projects**

The Minnesota Department of Commerce is requesting proposals for the purpose of contracting with one or more actuarial consultants that have knowledge and experience with health insurance reform to assist the Department of Commerce in improving its medical rate review process.

Work is proposed to start December 15, 2012.

A Request for Proposals will be available by e-mail from this office through November 12, 2012.

**A written request (by e-mail) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Julia Philips, Life and Health Actuary  
Minnesota Department of Commerce  
85 East Seventh Place, Suite 500  
St. Paul, MN 55101  
E-mail: [julia.philips@state.mn.us](mailto:julia.philips@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above not later than Thursday, November 22, 2012, at 4:00 p.m., Central Time. **Late proposals will NOT be considered.** Proposals submitted by fax or e-mail 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 Human Services (DHS) Purchasing and Service Delivery Division Notice of Request for Proposals to Provide Evaluation of Health Care Programs Enrollee Cost Sharing Requirements and Implications for State Public Health Care Programs

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide evaluation of health care programs enrollee cost sharing requirements and implications for state public health care programs, enrollees, managed care plans, county-based purchasing plans and other relevant stakeholders

Work is proposed to start December 3, 2012. For more information, or to obtain a copy of the Request for Proposal, contact:

Maren Fustgaard  
Department of Human Services  
Office of the Assistant Commissioner – Health Care  
540 Cedar Street  
St. Paul, MN 55155  
**E-mail:** [maren.fustgaard@state.mn.us](mailto:maren.fustgaard@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:30 p.m., Central Time, November 12, 2012** **Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

## Department of Natural Resources (DNR) Notice of Availability of Contract for Marketing and Communications Plan

**Amount of Proposed Contract:** \$ 85,000  
**CERTIFICATION #:** 31626

The Minnesota Department of Natural Resources is requesting proposals to develop and execute a marketing and communications plan for PlayCleanGo, an outdoor education campaign focused on preventing the spread of terrestrial invasive species.

Work is proposed to start after November 2012.

# State Contracts

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The Request for Proposal can be obtained from:

Susan Burks  
Division of Forestry  
Department of Natural Resources  
500 Lafayette Road, Box 44  
St. Paul, MN 55155-4044  
**E-mail:** *susan.burks@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 **November 12, 2012, 3:30 p.m. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

## Department of Revenue Notice of Availability of Contract for the Evaluation of Angel Investment Tax Credit Program

The contractor will produce a program evaluation that will evaluate the effects of the small business investment tax credit on the Minnesota economy. The credit is referred to as the angel investment tax credit.

This program evaluation is statutorily required in *Minnesota Statutes* 116J.8737, Sub. 10, and requires that the contractor **MUST NOT** be associated with, employed by, or have contracts with entities involved in or associated with the venture capital, angel investment, life science, or high technology industries.

The program evaluation must be completed by January, 2014.

Sealed proposals labeled "Program Evaluation" must be received no later than 1:00 p.m., November 20, 2012. **Late proposals will NOT be considered.**

A complete RFP can be requested from:

Mary Ann Novotny  
Financial Management Division  
Minnesota Department of Revenue  
Mail Station 4220  
St. Paul, MN 55146-4220  
Or at:  
**E-mail:** *dor.rfp@state.mn.us*

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 (MnDOT) Request for Proposals (RFP) Minnesota Freight Rail Economic Development Study

The State of Minnesota enjoys a valuable transportation asset in its railroad system, and those industries dependent on rail service form key components of the Minnesota economy, its job base, and the resources necessary to maintain the state's high quality of life. In the current era of limited public transportation funding, increasing congestion, ongoing environmental concerns, and a steadily rising interest

within the industrial sector to site facilities on rail-served property, it is relevant and timely to investigate ways and means to assist and promote freight rail growth for the betterment of both Minnesota businesses and the public.

The study will identify opportunities for shippers, railroads, and economic development and transportation agencies to work together more effectively, in support of expanded local rail access, complementary business development, and improved rail and intermodal service options.

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

The full RFP can be viewed on the Consultant Services Web Page at [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) under the P/T Notices Section. If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Debbie Anderson, Contract Administrator  
**E- mail:** [debbie.k.anderson@state.mn.us](mailto:debbie.k.anderson@state.mn.us)  
**Telephone:** (651) 366-4625

Note: RESPONSES WILL BE DUE ON NOVEMBER 14, AT 2:00 PM CENTRAL STANDARD TIME.

## 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 of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

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

Send completed application material to:

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

# State Contracts

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## 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 Design Services for the New Minnesota Zoo Crossroads Park Area

The Minnesota Zoo requests proposals for Design Services as they relate to the new Crossroads Park area. This site is currently being investigated for development to include Zoo Themed Play Structures as well as a new Zoo Themed Carousel as part of the Facility Master Plan.

The Minnesota Zoo's Facility Master Plan, currently pending approval, has identified Crossroads Park as an area for redevelopment. This area will be a launching pad for future expansion and a phased approach has been proposed to bring some long requested visitor amenities and revenue generating opportunities to an area overlooked in recent years, while still maintaining existing services until such time as we can realize the full plan.

Details are included in the complete Request for Proposals which is available by e-mailing Derik Otten, Minnesota Zoo Project Manager at [derik.otten@state.mn.us](mailto:derik.otten@state.mn.us). The deadline for submitting a proposal is 11:00AM., CST, November 13<sup>th</sup>, 2012.

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

## Non-State Public 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.

### Vendors Sought for these Projects

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).

### Dakota County

#### Notice of Request for Proposals to Provide Nursing Services for the Dakota County Jail and the Juvenile Services Center

Dakota County is seeking proposals from responsible contractors to provide nursing services for the Dakota County Jail and the Dakota County Juvenile Services Center located at 1580 and 1600 Hwy 55, Hastings, MN 55033, commencing February 1, 2013 through December 31, 2015, with option to extend for up to 2 additional one-year terms.

Proposals are due November 13, 2012 by 4:00 p.m. Attn: Commander John Grant, phone: (651) 438-4700, Dakota County Sheriff’s Office, 1580 Highway 55, Hastings, MN 55033.

Potential proposers are encouraged to attend a walk through and meeting on October 30, 2012 @ 1:00 p.m. at the Dakota County Sheriff’s Office.

The entire RFP is posted at the Dakota County website: [www.co.dakota.mn.us](http://www.co.dakota.mn.us), click “Doing Business” and then “Request for Bid, Proposals & Information”.

### Dakota County, Minnesota

#### Notice of Request for Assessment and Project Management Services to Support the Electronic Document Management Services for the Children and Family Services of the Social Services Department

The Dakota County Community Services Division (County) is seeking assessment and project management services to support the implementation of Electronic Document Management (OnBase) services for the Children and Family Services (CFS) section of the Social Services Department.

This contracted position will work in coordination CFS and the County Information Technology Department (IT) to identify and define design requirements, develop planning documents and will manage and coordinate conversion of existing documents to the OnBase Document Management System.

The preferred vendor will have background in working with OnBase, the ability to work with all levels of staff and have demonstrated skills in consensus building, use of process improvement tools, agenda development, meeting facilitation, team management, training and timely implementation. Past work with government agencies is a plus.

# Non-State Public Bids, Contracts & Grants

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Social Services CFS is comprised of approximately 80 Social Workers, 15 Support Staff, and 10 supervisors included in areas such as, Child and Family Intake, Child Protection, Children's Mental Health, Foster Care, Adoption, Truancy, Child Care Licensing and Crisis Response.

It is anticipated that work associated with this project will be completed in calendar year 2013.

The complete RFP and supporting documentation is available at:

<http://www.dakotacounty.us/Doing Business/Bids & Proposals>

To learn more about Dakota County visit our website at: [www.dakotacounty.us](http://www.dakotacounty.us)

Questions regarding this RFP will be accepted by Therese Branby by phone: (651) 554-5878 or e-mail at: [therese.branby@co.dakota.mn.us](mailto:therese.branby@co.dakota.mn.us). A Vendors' Conference will be held on Monday, October 29, 2012, from 11:00-12:00 in Conference Room 440 (4<sup>th</sup> floor.), at the Dakota County Northern Services Center, located at 1 Mendota Rd. W., West St. Paul, MN 55118. No questions will be accepted after the Vendor's Conference has been completed.

The deadline for proposals is 12:00 noon, (CST) on Monday, November 5, 2012. Late or incomplete proposals may not be accepted.

## Metropolitan Airports Commission (MAC) Minneapolis-St. Paul International Airport Notice of Call for Sealed Bid Proposals for CBIS Integration Phase 3 BP #1 – General Construction and Right-of-Way

MAC Contract No.:	106-2-665
Bids Close At:	2:00 p.m.: November 13, 2012

**Notice to Contractors:** Sealed Bid Proposals for work the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of limited building and site demolition, along with footings and foundations, structural steel, unit masonry wall systems, hollow metal doors and frames, temporary walls, signs, interior finishes, elevator systems, and necessary plumbing, heating, ventilation, and electrical work for remodeling for new baggage screening support facilities within the existing terminal building.

**Disadvantaged Business Enterprises (DBE):** The goal of the MAC for the utilization of DBE on this project is 2%.

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 15, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).



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# Non-State Public Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC)

### Minneapolis Saint-Paul International Airport

#### Notice of Call for Sealed Bid Proposals for CBIS Integration Phase 3 BP #2 – Conveyors and Equipment

MAC Contract No.:

106-2-664

Bids Close At:

2:00 p.m.: November 13, 2012

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of provision and installation of baggage handling system equipment (including conveyor, associated controls, platforms, ladders, etc.) to integrate into the existing Checked Baggage Inspection System (CBIS) for the use of all carriers, tie-ins to the existing legacy sortation system, demo/removal of existing baggage make-up devices, and other modifications, additions and enhancements to the Terminal's Baggage Handling Systems.

**Disadvantaged Business Enterprises (DBE):** The goal of the MAC for the utilization of DBE on this project is 2%.

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 15, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

## Minnehaha Creek Watershed District (MCWD)

### Advertisement for Bids for Minnehaha Creek Restoration - Reach 20

Base Bid Schedule:	Floodplain & Channel Restoration, Canoe Landing, Stormwater BMP Ponds and Trail Grading
Alternate Bid Schedule:	Trails, Boardwalk and Pedestrian Bridge
Owner:	Minnehaha Creek Watershed District
Class of Work:	Excavation, Bio-Engineered Bank Stabilization, Fish Habitat Enhancement, RCP Storm Sewer
Project Location:	Hennepin County, Minnesota
Mandatory Pre-Bid Meeting:	1:00 PM, October 10, 2012
Bids Close At:	1:00 PM, October 31, 2012

#### 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 31, 2012, at which time such bids will be opened and read aloud. The work, in accordance with drawings and specifications prepared by Inter-Fluve, Inc., consists of the following major items of work:

# Non-State Public Bids, Contracts & Grants

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## Base Bid Schedule

- Stream Channel Excavation
- Stormwater BMP Pond Excavation
- Bio-Engineered Soil Stream Banks
- Fish Habitat Enhancement
- Clearing and Invasive Control
- RCP Storm Sewer Construction
- Stone Work
- Canoe Landings
- Trail Grading

## Alternate Bid Schedule

- Bituminous Trails
- Elevated Boardwalks
- Boulder and CMU Retaining Wall
- Pedestrian Bridge and Abutments

Contractors are requested to Bid on both the Base Bid Schedule and the Alternate Bid Schedule listed in the Bid Form. **The lowest responsive and responsible bid will be determined by the sum of the Base Bid and Alternate Bid Schedules received from qualified contractors.** It is the intent to award a contract for the Base Bid Schedule within sixty (60) days. A contract may or may not be awarded for the Alternate Bid Schedule and is contingent upon development by Minnehaha Creek Watershed District of an approved funding agreement. The award of the Alternate Bid Schedule, if any, may not be made within the traditional sixty (60) days and may require up to six (6) months. Therefore, Contractors are requested to supply two bid sureties with their Bids. One bid surety shall be for the Base Bid Schedule and the other bid surety shall be for the Alternate Bid Schedule.

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the offices of Minnehaha Creek Watershed District, 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 OWNER Attn: Renae Clark [RClark@minnehahacreek.org](mailto:RClark@minnehahacreek.org), (952) 641-4510 prior to opening of the Bid.

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

Bid securities are required 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. The deposits on the Base Bid Schedule will be retained until the contract has been awarded and executed but not longer than sixty (60) days. The OWNER will retain the deposit for the Alternate Bid Schedule, **received from the successful bidder on the Base Bid Schedule**, for a maximum of one hundred eighty (180) days. All other deposits for the Alternate Bid Schedule will be held until an award has been made, but not longer than 180 days. No bid may be withdrawn for the Base Bid Schedule for a period of sixty (60) days following the bid opening. Likewise, the successful Bidder may not withdraw his/her bid for the Alternate Bid Schedule for a period of one hundred eighty (180) days following the bid opening.

**A mandatory PRE-BID meeting will be held at the Minnehaha Creek Watershed District office at 1:00 PM, October 10, 2012.** Plan holders must be represented at this meeting to be eligible to bid on the Work.

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, place a contingency upon the award of any Alternate Bid Schedules, 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: September 2012

# Minnesota's Bookstore

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<i>Historic Photos of St. Paul</i>	Stock Number 13660	\$39.95
<i>State Fair</i>	Stock Number 13667	\$24.95

### State Capitol Mementos

<i>Minnesota State Capitol:</i>	Stock Number 945	\$16.95
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<i>Baking with the St. Paul Bread Club:</i>	Stock Number 1027	\$24.95
<i>Recipes, Tips &amp; Stories</i>		
<i>Cooking with Wild Berries &amp; Fruit</i>	Stock Number 13712	\$12.95
Hot Dish Heaven: Classic Casseroles	Stock Number 1034	\$16.95
From Midwest Kitchens		
Potluck Paradize	Stock Number 767	\$16.95
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Pocket Guide to Minnesota Place Names	Stock Number 920	\$11.95
Minnesota Place Names: A Geographical Encyclopedia	Stock Number 905	\$49.95
The Governor's Mouse	Stock Number 13926	\$20.00



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- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
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**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.

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\$25.01-\$50.00	\$ 9.00
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\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
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Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

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