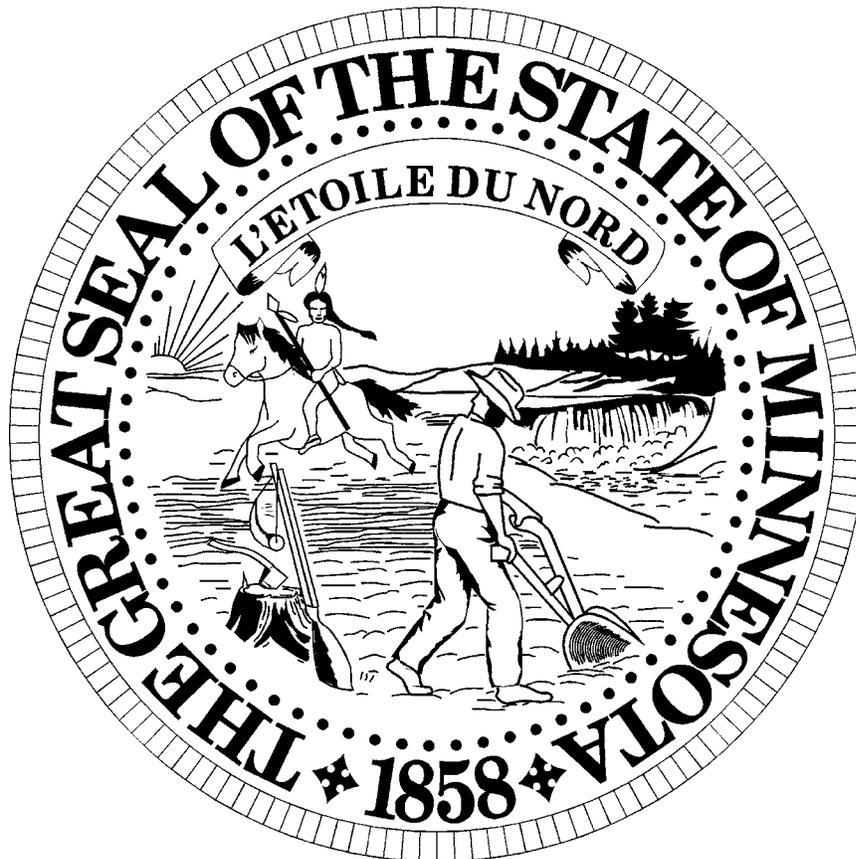


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 and Grants**

**Monday 17 October 2016
Volume 41, Number 16
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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- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- 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. 41 Issue Number	PUBLISH DATE (BOLDFACE 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)
# 17	Monday 24 October	Noon Tuesday 18 October	Noon Thursday 13 October
# 18	Monday 31 October	Noon Tuesday 25 October	Noon Thursday 20 October
# 19	Monday 7 November	Noon Tuesday 1 November	Noon Thursday 27 October
# 20	Monday 14 November	Noon Tuesday 8 November	Noon Thursday 3 November

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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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(Rules Appearing in Vol. 40 Issues #27-52 are
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A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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.

Pollution Control Agency

Adopted Permanent Rules Relating to Existing Water Quality Variance Procedures

The rules proposed and published at State Register, Volume 40, Number 19, pages 531-538, November 19, 2015 (40 SR 531); and Volume 40, Number 26, pages 714-720, December 28, 2015 (40 SR 714), are adopted with the following modifications:

7050.0190 VARIANCE FROM STANDARDS.

Subp. 4. **Conditions for approval.** Before a variance can become effective, the variance must be submitted to and approved by the United States Environmental Protection Agency in accordance with section 303(c) of the Clean Water Act and Code of Federal Regulations, title 40, sections 131.20 and 131.21. To be eligible for a preliminary determination by the agency to grant the variance, the permittee must:

A. demonstrate to the agency that attaining the water quality standard is not feasible because:

(5) physical conditions related to the natural features of the water body, such as the lack of a proper substrate cover, flow, depth, pools, riffles, and the like, unrelated to chemical water quality, preclude attainment of ~~water quality standards~~ aquatic life protection uses; or

Subp. 6. **Agency final decision; variance requirements.** The agency must make a final decision regarding the variance request that conforms to the procedural requirements in part 7000.7000. The agency must hold at least one meeting that meets the minimum public participation requirements in Code of Federal Regulations, title 40, section 25.5, before the agency makes a final decision on the variance request. If the agency grants the variance and the variance is approved by the United States Environmental Protection Agency, the permit issued by the agency must include and incorporate the following variance terms and conditions:

Subp. 8. **Term and expiration.** The terms and conditions of a water quality standards variance are included and incorporated in the permit issued by the agency. The term of a variance must be ~~as short as possible but must expire no later than ten years after the United States Environmental Protection Agency approval date of the variance.~~ only be as long as necessary to achieve the highest attainable condition. For a variance with the term greater than five years, only if requested in writing by the permittee, the agency shall reevaluate the variance every five years in accordance with Code of Federal Regulations, title 40, section 131.14 (b) (1)(v) and (vi), as provided by the Federal Register, volume 80, page 51048. If the permittee does not request a reevaluation, the variance expires at the end of the five-year period.

7052.0280 VARIANCES FROM WATER QUALITY STANDARDS.

Subp. 5. **Agency final decision; variance requirements.** The agency must make a final decision regarding the variance request that conforms to the procedural requirements in part 7000.7000. The agency must hold at least one meeting that meets the minimum public participation requirements in Code of Federal Regulations, title 40, section 25.5, before the agency makes a final decision on the variance request. If the agency grants the variance and the variance is approved by the United States Environmental Protection Agency, the permit issued by the agency must include and incorporate the following variance terms and conditions:

7053.0195 VARIANCE FROM DISCHARGE EFFLUENT LIMITS OR TREATMENT REQUIREMENTS.

Subp. 4. **Conditions for approval.** To be eligible for a preliminary determination by the agency to grant the variance, the permittee must meet the conditions specified in part 7050.0190, subpart 4, ~~except the requirement to submit the variance to the United States Environmental Protection Agency for approval does not apply to variances granted by the agency under this part items A to D.~~

Adopted Rules

Subp. 8. **Term and expiration.** The terms and conditions of a variance from a discharge effluent limit or treatment requirement are included and incorporated in the permit issued by the agency. The term of a variance must be as short as possible but must expire no later than ten years after the date the agency grants the variance. only be as long as necessary to achieve the highest attainable condition. For a variance with the term greater than five years, only if requested in writing by the permittee, the agency shall reevaluate the variance every five years in accordance with Code of Federal Regulations, title 40, section 131.14 (b) (1)(v) and (vi), as provided by the Federal Register, volume 80, page 51048. If the permittee does not request a reevaluation, the variance expires at the end of the five-year period.

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

Adopted Expedited Emergency Game and Fish Rules; General Restrictions for Taking Deer, Camp Ripley Archery Hunt and Special Hunts

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 97A.091, 97A.401, 97B.301, 97B.305, and 97B.311.

The condition that does not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, is that the number of Camp Ripley Archery Hunt licenses available exceeded the number applications. This rule establishes a means to equitably disburse the surplus hunting licenses. It also clarifies that bonus permits may be used in managed and intensive deer areas as well as most special hunts, adds a special needs youth hunt for 10 participants and increases the bag limit at a special hunt in Camden State Park for consistency with the original park proposal.

October 11, 2016

Sarah Strommen
Assistant Commissioner

6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

[For text of subs 1 to 9, see M.R.]

Subp. 10. **2016 bonus permits.** Bonus permits may be used to take additional antlerless deer:

- A. ~~by archery~~ in managed and intensive deer permit areas as prescribed in part 6232.1750; and
- B. unless otherwise specified, in the archery, firearms, and muzzleloader special hunts described in this chapter.

6232.1000 APPLICATION PROCESS FOR CAMP RIPLEY ARCHERY HUNT.

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

Subp. 4. **Undersubscribed time periods.** In time periods with fewer applicants than available permits, the remaining available permits must be offered on a first-come, first-served basis. An eligible person must apply individually and either in person at an ELS-POS agent location or online through the ELS-Internet system to obtain a remaining available permit. Individuals who

Expedited Emergency Rules

purchase these remaining available permits retain their accumulated preference. The application requirements in subpart 3, items A to C and E, apply. Permits must be sold beginning at noon on September 16 until all licenses are sold or until October 7, 2016, whichever comes first.

6232.2500 DISABLED HUNT.

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet. In 2016, the following areas are open for hunting by disabled hunters:

[For text of items A to E, see 41 SR 165]

F. portions of the Carlos Avery Wildlife Management Area Sanctuary in Anoka County are open October 8 to 16 for taking antlerless deer and legal bucks by legal firearms or archery. No more than 20 permits shall be issued. The bag limit is one deer. Capable Partners is the sponsor; ~~and~~

G. Rydell National Wildlife Refuge in Polk County is open October 13 to 15 for taking antlerless deer and legal bucks by legal firearms or archery. No more than 20 permits shall be issued. One bonus permit may be used, but a hunter may not take more than one deer. This is special hunt area 957. Rydell National Wildlife Refuge is the sponsor; ~~and~~

H. portions of Sumner and Spring Valley Townships in Fillmore County, Pleasant Valley and Sargeant Townships in Mower County, and Oronoco and Rock Dell Townships in Olmsted County are open October 13 to 16 and October 20 to 23 for taking antlerless deer and legal bucks by legal firearms. No more than ten permits shall be issued. The bag limit is one either-sex deer. Special Youth Challenge of Minnesota is the sponsor.

6232.2550 YOUTH SPECIAL DEER HUNTS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Open areas.** The youth special deer hunt areas described in items A to ~~S~~ R are open by permit during the 2016 season.

[For text of items A to E, see 41 SR 161]

~~F.~~ Portions of Buffalo River State Park in Clay County are open November 5 and 6 for youth taking antlerless deer by firearms. No more than 14 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one. Bonus permits are allowed. This is special hunt 959.

~~G.~~ E. Portions of Camden State Park in Lyon County are open October 29 and 30 for youth taking antlerless deer and legal bucks in an earn-a-buck hunt by firearms. No more than 15 permits shall be issued to youth authorized to hunt the statewide A season. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is ~~one~~ two deer. Bonus antlerless permits are allowed. This is special hunt 967.

~~H.~~ G. Itasca State Park in Clearwater, Hubbard, and Becker Counties is open October 15 and 16 for youth taking antlerless deer and legal bucks by firearms. No more than 75 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two. Bonus permits are allowed. This is special hunt 961.

~~I.~~ H. Kilen Woods State Park in Jackson County is open October 22 and 23 for youth taking antlerless deer and legal bucks by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one. Bonus permits are allowed. This is special hunt 963.

~~J.~~ I. Portions of Lake Bemidji State Park in Beltrami County are open October 21 to 23 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Minnesota Deer Hunters Association, Bemidji chapter, is the sponsor. The bag limit is two. Bonus permits are allowed. This is special hunt 954.

~~K.~~ J. Portions of Lake Shetek State Park in Murray County are open November 19 and 20 for youth taking antlerless deer and legal bucks by firearms in an earn-a-buck hunt. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two. Bonus permits are allowed. This is special hunt 968.

~~L.~~ K. Rydell National Wildlife Refuge in Polk County is open October 22 and 23 for youth taking antlerless deer and legal

Expedited Emergency Rules

bucks by firearms. No more than 15 permits shall be issued. The Friends of the Rydell National Wildlife Refuge and the Minnesota Deer Hunters Association are the sponsors. The bag limit is one. Bonus permits are allowed. This is special hunt 957.

M.L. Portions of St. Croix State Park in Pine County are open October 29 and 30 for youth taking antlerless deer and legal bucks by firearms. No more than 90 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two. This is special hunt 956.

N.M. Portions of Savanna Portage State Park in Aitkin County are open October 29 and 30 for youth taking antlerless deer and legal bucks by firearms. No more than 25 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. Areas specified on maps provided by the park manager are open only to youth deer hunters and their mentors. The bag limit is two. Bonus permits are allowed. This is special hunt 958.

Θ.N. Sibley State Park in Kandiyohi County is open October 29 and 30 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one. Bonus permits are allowed. This is special hunt 952.

P.O. Portions of Tettegouche State Park in Lake County are open October 29 and 30 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. Areas specified on maps provided by the park manager are open only to youth deer hunters and their mentors. The bag limit is one. Bonus permits are allowed. This is special hunt 960.

Θ.P. Portions of Zippel Bay State Park in Lake of the Woods County are open October 22 and 23 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. Areas specified on maps provided by the park manager are open only to youth deer hunters and their mentors. The bag limit is two. Bonus permits are allowed. This is special hunt 953.

R.Q. The Gamehaven Scout Reservation in Olmsted County is open October 8 and 9 for youth taking antlerless deer and legal bucks by firearms. No more than 15 permits shall be issued. The Boy Scouts of America, Gamehaven Council, is the sponsor. The bag limit is one. Bonus permits are allowed.

S.R. The Big Woods Heritage Forest, Sauber Woods Unit, in Rice County is open October 15 to 18 for youth taking antlerless deer and legal bucks by firearms. No more than four permits shall be issued. The Tri-Lakes Sportsman's Club is the sponsor. The bag limit is one. Bonus permits are allowed.

EFFECTIVE PERIOD. The expedited emergency amendment to Minnesota Rules, parts 6232.0300, 6232.1000, 6232.2500, and 6232.2550, expire December 31, 2016.

Withdrawn Rules

An agency may withdraw rules from review (*Minnesota Statutes* 1400.2240, Subp.8; 1400.2300, Subp.4; and 1400.2410, Subp.4) by submitting a notice of withdrawal to the chief judge signed by a person authorized to withdraw the rule. Withdrawing a rule is appropriate unless the withdrawal of the rule or a portion of the rules makes the remaining rules substantially different. The notice must explain the person's authority to withdraw the rule. The office must return the agency's filing promptly after receiving this notice.

Minnesota Department of Education

Division of Equity and Innovation

Notice of Withdrawn Rules for Proposed Rules Governing Achievement and Integration, *Minnesota Rules*, Chapter 3535, Revisor's ID Number 4309

The Minnesota Department of Education is withdrawing its possible amendments to rules governing achievement and integration that were published in the Notice of Hearing on November 9, 2015. (40 SR 19, November 9, 2015)

The Commissioner disagrees with the Administrative Law Judge's determination that the department lacks statutory authority to include charter schools in the proposed amendments to *Minnesota Rules*, Chapter 3535. In addition, the determination raises civil rights questions about which schools should be eligible for the program, how concentrations of American Indian students impact program eligibility, and whether inter-district integration activities should be mandatory. The Commissioner believes it would be inappropriate to propose further rule amendments until these issues are addressed by the state legislature.

The Department is withdrawing the following proposed amendments: *Minnesota Rules*, Chapter 3535.0010-0060.

Date: 10/5/2016

Brenda Cassellius
Commissioner

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 16-09: Establishing the Governor's Council on Law Enforcement and Community Relations

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, in the last year, Minnesota has seen tragic events related to the use of deadly force by law enforcement officers and has recognized the need to address the interactions of law enforcement and members of diverse communities;

Whereas, these tragic events led to local and national protests concerning police and community relations, social justice, criminal justice reform, and other issues regarding trust and oversight of the law enforcement organizations;

Whereas, the tragic deaths of police officers in Dallas, Texas, Baton Rouge, Louisiana, and Palm Springs, California, and the deaths of other law enforcement officers throughout the United States have further aggravated these issues; and

Whereas, all Minnesotans have a stake in building trust and cooperation between law enforcement agencies and the communities

Executive Orders

they serve, thereby creating a safer and more harmonious Minnesota.

Now, Therefore, I hereby order that:

1. The Governor's Council on Law Enforcement and Community Relations (the Council) be established to independently review quantitative and qualitative data and make policy recommendations to the Governor and Legislature that will lead to substantive changes and strengthen police and community relations. Additionally, these recommendations should protect law enforcement officers and members of communities, thereby improving trust in the criminal justice and law enforcement systems.
2. Fourth District Judge Pamela G. Alexander, and Grand Rapids Police Chief, Scott Johnson shall serve as non-voting Co-Chairs of the Council.
3. The Council shall also include the following voting members:
 - a. One representative from Minnesota Police and Peace Officers Association;
 - b. One representative from the Minnesota Board of Peace Officer Standards and Training (POST);
 - c. One representative from Minnesota Chiefs of Police Association;
 - d. One representative from the Minnesota Sheriffs' Association;
 - e. One representative from Minnesota Department of Public Safety;
 - f. One representative from National Black, Latino, Asian, and Somali Police Officers Associations;
 - g. One representative from National Association for the Advancement of Colored People (State of Minnesota);
 - h. One representative from Minnesota Tribal Nations;
 - i. One representative from Latino LEAD;
 - j. One representative from the Black Ministerial Alliance;
 - k. One representative from the Council on American-Islamic Relations;
 - l. One representative from ISALAH;
 - m. One representative from Black Lives Matter;
 - n. One representative from Minnesota County Attorneys Association; and
 - o. One representative from Minnesota Youth Council.
4. The Council shall also include the following 17 ex-officio members:
 - a. One representative from the Minnesota Department of Public Safety;
 - b. One representative from Office of Gov. Mark Dayton and Lt. Governor Tina Smith;
 - c. One representative from Minnesota Department of Human Rights;
 - d. One representative from the family of Jamar Clark;
 - e. One representative from the family of Philando Castile;
 - f. One Member of the Majority Party in the Minnesota Senate;
 - g. One Member of the Minority Party in the Minnesota Senate;
 - h. One Member of the Majority Party in the Minnesota House of Representatives;
 - i. One Member of the Minority Party in the Minnesota House of Representatives;
 - j. One representative from the National Baptist Convention (Minnesota);
 - k. One representative from the Coalition of Asian American Leaders;
 - l. One representatives from the Minnesota Council of Non-Profits;
 - m. One representative from the League of Minnesota Cities;
 - n. One representative from Minnesota Community Foundation;
 - o. One representative from Minnesota Council on Foundations;
 - p. One representative from Association of Minnesota Counties; and
 - q. One representative from Law Enforcement Labor Services of Minnesota.
5. The Council may choose to form the following Work Groups, which could address some of the proposals and recommendations submitted:
 - a. Criminal Justice and Social Justice Reform Work Group;
 - b. Police Training Work Group;
 - c. Law Enforcement Workplace and Policy Oversight and Diversity Recruitment and Retention Work Group;
 - d. Community and Law Enforcement Health and Wellness Group;
 - e. Policy Development and Implementation Work Group; and

- f. Other Work Groups, as the Co-Chairs shall authorize.
6. The Council shall have the following duties:
 - a. Advise the Governor, Legislators, and other policy makers and stakeholders about the immediate actions, which can be taken in Minnesota to create and restore trust between communities and their law enforcement agencies, so that all community members are invested in maintaining public safety in an atmosphere of mutual respect;
 - b. Focus on law enforcement – community relations through a lens of procedural and social justice that may impact areas, including, but not limited to: sentencing reform; prosecutorial discretion; law enforcement workforce; law enforcement recruiting and retention; law enforcement training; and community health and wellness;
 - c. Identify, publish, and promote information about the implementation of the best practices in community and law enforcement relations; and also facilitate information sharing among local, state, and federal departments and jurisdictions;
 - d. Identify, publish, and promote information about the resources needed for statewide access to training and officer safety;
 - e. Identify, publish, and promote information about how communities and law enforcement agencies can positively engage each other; and
 - f. Design and implement specific policy proposals and actions that can be taken by the executive and legislative branches of state government to enhance law enforcement and community safety.
 7. The Council shall submit its Preliminary Policy Recommendations Report to the Governor, the Legislature, and the public by February 15, 2017. The Council shall provide all stakeholders with opportunities to give feedback prior to the Final Report's due date. The Council's Final Report shall be due by June 30, 2017.

This Executive Order is effective fifteen 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 until it expires in accordance with Minnesota Statute, section 4.035, subdivision 3.

In Testimony Whereof, I have set my hand on this 12th day of October, 2016.

Mark Dayton
Governor

Filed According to Law:

Steve Simon
Secretary of State

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.

Minnesota Department of Revenue

Corrected Revenue Notice # 16-06: Administration and Compliance – Subpoenas – Reimbursement of Third-Party Record Keepers’ Reasonable Costs; Revoking Revenue Notice # 04-06

This corrected Revenue Notice in reference to Revenue Notice # 16-06, which appeared in the October 10 edition of the State Register, Volume 41 Number 15.

Regarding Revenue Notice # 16-06: Administration and Compliance – Subpoenas – Reimbursement of Third-Party Record Keepers’ Reasonable Costs; Revoking Revenue Notice # 04-06 in the Revenue Notices section of the State Register at 41 SR 445. At the end of the notice, the publication date of October 10 as well as Deputy Commissioner Ryan Church’s signature were inadvertently cut off from the end of the notice. That notice is revoked and replaced by the corrected notice below:

Introduction

Minnesota Statutes, section 270C.32, subdivision 9, provides that when the Commissioner of Revenue serves a subpoena for records upon an uninvolved third party “. . . the commissioner shall pay the reasonable costs of producing the records.” The purpose of this revenue notice is to set forth which costs the Department of Revenue considers to be reasonable for purposes of reimbursing a third-party record keeper for the costs of furnishing subpoenaed records. This notice revokes and replaces Revenue Notice # 04-06 in order to reorganize it for better readability, provide greater specificity with regard to what costs may be reimbursed, revise the compensation rate for document production work, and address reimbursement of reasonable costs for records that are provided electronically.

Department Position

I. General

A. The commissioner will reimburse the reasonable cost of producing records, meaning the costs for search and retrieval, production, and delivery or transportation of the documents or other requested information, as defined in sections II, III, and IV below.

B. The “reasonable cost of producing records” does not include salaries, fees, or similar charges for analysis of responsive materials, nor does it include charges for time spent for managerial or legal oversight, advice, expertise, or research in connection with producing the records. The commissioner will not reimburse these costs.

C. To receive reimbursement, the third-party record keeper must satisfactorily comply with the subpoena and submit supporting documentation to the commissioner with an invoice separately identifying all of the reasonable costs associated with producing the subpoenaed records.

D. A third-party record keeper must obtain the commissioner’s prior consent if the third-party record keeper expects that the total reasonable cost of producing the subpoenaed records will exceed \$250.00.

II. Search and Retrieval Costs

The reasonable cost for the time the third-party record keeper spends locating and retrieving documents or other requested information is \$12 per hour. If it is necessary for the third-party record keeper to hire outside help to locate or retrieve the requested information, the commissioner will reimburse the third party up to \$12 per hour, not to exceed the actual cost incurred.

III. Production Costs

A. Electronic Production

The reasonable cost for documents that are produced electronically, whether via portable media (such as a CD-ROM or

flash drive) or by secure online delivery (e.g., temporary access to a secure network server) is the lesser of: (1) the actual cost of such electronic media or network access plus \$12 per hour of time spent preparing, converting, or scanning the documents, if itemized separately; or (2) 25 cents per page or page equivalent (based on the number of letter-sized pages that could be printed from each of the documents in the electronic file).

B. Physical Production

The reasonable cost for documents that are reproduced as photocopies or duplicates on paper is 25 cents per page, regardless of the size of the page. The \$12 per hour rate specified above for locating and retrieving records does not include any time spent making or assembling physical copies because those costs are included in the photocopying rate of 25 cents per page.

The reasonable cost for producing photographs, film, and other items that cannot be effectively reproduced electronically or on ordinary copy paper is the actual cost of duplicating such items.

IV. Transportation Costs

Costs associated with transporting necessary people to locate and retrieve subpoenaed records or information from a location separate from the third-party record keeper's place of business will be reimbursed based on the mileage rate set by the Internal Revenue Service for the time period in which the travel takes place. The third-party record keeper's "place of business," for mileage purposes, is the primary work location of the person sent to retrieve the records. The time in transit spent by necessary persons will be reimbursed at the \$12 per hour rate, but this time does not include rest breaks, meals, or any incidental stops or delays.

The reasonable cost for transporting the requested records, either to the requestor's address or to a specified location, is the actual cost of sending the records by standard first class mail. Other methods of transportation may be used if prior authorization is obtained from the commissioner.

Publication Date: October 17, 2016
Ryan Church, Deputy Commissioner

Minnesota Department of Revenue

Corrected Revenue Notice # 16-07: Sales and Use Tax – Exemptions – Qualified Data Centers; Revocation of Revenue Notice # 12-11

This corrected Revenue Notice in reference to Revenue Notice # 16-07, which appeared in the October 10 edition of the State Register, Volume 41 Number 15.

Regarding Revenue Notice # 16-07: Sales and Use Tax – Exemptions – Qualified Data Centers; Revocation of Revenue Notice # 12-11 in the Revenue Notices section of the State Register at 41 SR 446. At the end of the notice, the publication date of October 10 as well as Deputy Commissioner Ryan Church's signature were inadvertently cut off from the end of the notice. That notice is revoked and replaced by the corrected notice below:

Introduction

This Revenue Notice sets out the department's positions regarding the sales tax exemptions under *Minnesota Statutes*, section 297A.68, subdivision 42, for certain purchases for use in a "qualified data center," under the law as amended in 2013 and clarified in 2014. Terms and phrases with quotation marks are as used in section 297A.68, subdivision 42, unless indicated otherwise. This Revenue Notice replaces and revokes Revenue Notice # 12-11.

This notice states below that the exemptions apply to purchases made by a qualifying facility after June 30, 2013. However, if a qualified facility has met the investment and square footage criteria under the 2011 law, then the exemption applies to eligible purchases made after June 30, 2012. Aside from the different exemption date available for purchases, and the different investment criteria and square footage criteria, positions set out in this notice apply equally to facilities qualifying under 2011 law.

I. Enterprise Information Technology Equipment, Software, and Electricity Exemptions

The sales tax exemptions apply to the following purchases made after June 30, 2013:

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(1) Purchases of “enterprise information technology equipment and computer software,” including replacements and upgrades, for use in a “qualified data center, or a qualified refurbished data center” (each center hereafter will be referred to as either a “facility” or a “qualified facility”).

The purchaser of exempt equipment and software must first pay the sales tax, and then once the facility is certified by Minnesota Department of Employment and Economic Development (DEED) as a qualified facility (as described below), the “owner of the qualifying business” may apply for a refund of the sales tax paid on the purchases, within 3-1/2 years from the invoice date. If the tax was paid by a contractor, subcontractor, or builder, then that person must furnish to the owner of the qualifying business a statement which includes “the cost of the exempt items and the taxes paid on the items,” so that the owner may apply for the refund. See *Minnesota Statutes*, sections 297A.75, 289A.40, and 289A.50.

(2) Purchases of electricity used or consumed in the operation of the qualified facility, upon providing a fully completed exemption certificate, Form ST3, to the purchaser’s utility provider.

To qualify for the exemptions, the facility must be used to house “enterprise information technology equipment” (as defined in *Minnesota Statutes*, section 297A.68, subdivision 42); must have met the stated investment threshold and the required square footage; and must have “(i) uninterruptible power supplies, generator backup power, or both; (ii) sophisticated fire suppression and prevention systems; and (iii) enhanced security.”

The exemptions end either 20 years from the date of the first purchase of enterprise information technology equipment and computer software for use in a qualified facility, or by July 1, 2042, whichever is earlier.

II. DEED Certifies that Investment and Square Footage Requirements are Met

DEED certifies to the Department of Revenue when a facility qualifies for the exemptions by meeting the investment thresholds and square footage requirements. DEED will look at the total costs of construction or refurbishment, enterprise information technology equipment, and supporting computer software, to determine if the investment threshold is met. Only purchases made after June 30, 2012, count toward the qualifying investment threshold and period, except that costs for computer software maintenance agreements purchased before July 1, 2013, are not includable.

The square footage criteria for a qualified facility is as follows:

(1) For either a facility that has been constructed or an existing facility that has been “substantially refurbished,” the facility must be located on a single parcel or on contiguous parcels, and be comprised of one or more buildings with a combined square footage of at least 25,000 square feet.

(2) For a “substantially refurbished” facility at least 25,000 square feet of the facility must have been rebuilt or modified. “Substantially refurbished” means an existing facility has been rebuilt or modified, including installation of enterprise information technology equipment, environmental control, computer software, energy efficiency improvements, or building improvements.

(3) The facility may include the square footage of the following spaces or facilities as long as they support the operation of the enterprise information technology equipment: office or meeting spaces, and mechanical and other support facilities.

The investment criteria for a qualified facility are as follows:

(1) For a constructed facility, a \$30,000,000 investment within a 48-month period.

(2) For a “substantially refurbished” facility, a \$50,000,000 investment within a 24-month period.

Department Position

I. Investment Cost and Period; Qualities and Square Footage

A. In determining if the dollar threshold has been met within the investment period, only the following are included: construction and refurbishment costs incurred after June 30, 2012, purchases of enterprise information technology equipment and

Revenue Notices

computer software made after June 30, 2012, and purchases of computer software maintenance agreements made after June 30, 2013.

B. The months of the investment period must be consecutive months.

C. The cost of land acquisition, if any, is not included in meeting the dollar threshold.

D. A qualified facility may include one or more businesses using enterprise information technology equipment. If more than one business using enterprise information technology equipment is located at the facility, either as co-owners or tenants of the building or buildings that constitute the facility, the following applies:

1. Their combined total cost of construction or refurbishment, investment in enterprise information technology equipment, and of computer software must meet the dollar threshold within the corresponding investment period: \$30,000,000 within a 48-month period for a constructed facility; and \$50,000,000 within a 24-month period for a “substantially refurbished” facility.

2. The investment period for all co-owners or tenants begins when the initial purchase and investment is made by any of the co-owners or tenants.

E. The square footage must be documented and the computation of the square footage must follow industry standards.

F. Mechanical and other support facilities are “in support of the operation of the enterprise information technology equipment” if their function is to control, direct, maintain, manage, monitor, regulate or service the enterprise information technology equipment, or to allow staff to carry out these functions. If so, their square footage may be included to determine if the facility meets the minimum square footage criteria.

G. Office or meeting spaces are “in support of the operation of the enterprise information technology equipment” if their function is to allow staff to control, direct, maintain, manage, monitor, regulate, or service the enterprise information technology equipment, or to provide training, discussions, performance evaluation and enhancement, and other similar activities to ensure the optimum operation of the enterprise information technology equipment. If so, their square footage may be included to determine if the facility meets the minimum square footage criteria.

II. Purchases of Items that Meet Investment Thresholds or are Used within Spaces that Support the Operation are not Automatically Exempt

A. Costs of enterprise information technology equipment and software purchased after June 30, 2012, will count toward meeting the investment threshold (except that software maintenance agreements must be purchased after June 30, 2013), but to qualify for the exemption they must be purchased after June 30, 2013.

B. Costs of constructing or refurbishing a facility will count toward meeting the investment threshold, but the items used in the construction or refurbishment of a facility do not qualify for the exemption unless they are enterprise information technology equipment and software and are purchased after June 30, 2013.

C. Office or meeting spaces that support the operation of the enterprise information technology equipment will count toward meeting the square footage requirement, but the purchases of furniture and equipment used in the office or meeting spaces (e.g., tables, chairs, and photocopiers) do not qualify for the exemption.

III. Substantially Refurbished

A. The terminology “refurbished” and “rebuilt or modified” both mean that the facility has been repaired, remodeled, or altered. This refurbishment may include, but is not limited to, upgrading, expanding, or retrofitting enterprise information technology equipment and its supporting infrastructure and systems, as well as significant interior or exterior structural modification.

B. Making cosmetic changes to the interior or exterior appearance of a building (e.g., painting office space walls) does not constitute a “substantially refurbished” facility or a “building improvement.” Space which has been changed cosmetically and has not otherwise been repaired, remodeled or altered will not be included in the minimum square footage for determining if the facility has been substantially refurbished.

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IV. Electricity Exemption

A. Electricity used or consumed in operation of the facility is exempt once the facility is certified by DEED as a qualified facility, and not before.

B. Once a facility is qualified, electricity that is used or consumed in the operation of a qualified facility, is exempt from sales tax to the extent it is used as follows:

1. To operate “(i) uninterruptible power supplies, generator backup power, or both; (ii) sophisticated fire suppression and prevention systems; and (iii) enhanced security”;

2. To operate enterprise information technology equipment; or

3. As used in office and meeting spaces, and mechanical and other support facilities, to support the operation of the enterprise information technology equipment in the facility.

C. Once a facility is certified by DEED as a qualified facility, any business that pays for the electricity used or consumed in the operation of the qualified facility may purchase it exempt from sales tax, and is not itself required to be a qualified facility.

D. While the use of separate meters that solely measure the electricity for qualifying uses and spaces is preferable, the department will accept a valid energy audit conducted by a qualified energy audit engineer or consultant, or other reasonable methods, to determine the portion of the total electricity that is used for qualifying uses and spaces at the qualified facility.

E. When the business provides a fully completed exemption certificate, Form ST3, to its utility provider, it must indicate on the form the percentage of the total electricity in the qualified facility that qualifies for the exemption.

F. The sales tax exemption for electricity does not apply to other utilities. Services other than electricity—for example, natural gas, water, or telecommunications services—are not included in this exemption.

G. The Department will allow a refund claim for sales tax paid on electricity only to the extent the electricity was used or consumed after the date the facility became a qualified facility.

V. Refunds—Processing Claims and “Owner of the Qualifying Business”

A. The “owner of the qualifying business,” as that term is used in *Minnesota Statutes*, section 297A.75, subdivision 2, clause (7), is one of the following:

1. Where the qualified facility is used to house “enterprise information technology equipment” and all of that equipment is owned by one person, that person is the “owner of the qualifying business” and may apply for a refund of the tax paid on that equipment and related software.

2. Where the qualified facility is used to house multiple and distinct “enterprise information technology equipment,” and different enterprise information technology equipment is owned by different persons, each person is the “owner of the qualifying business” for purposes of applying for a refund of the sales tax paid on the equipment and its related software that are owned by that person.

B. For purposes of processing the refund claim, the department will presume the sales tax was reported on a sales tax return for the month corresponding with the date of the purchase of enterprise information technology equipment and computer software, based on the date of the invoice or billing statement.

Publication Date: October 17, 2016
Ryan Church, Deputy Commissioner

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.

Minnesota Department of Employment and Economic Development (DEED) Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (“DEED”) will conduct a public hearing on **Monday, October 31, at 1:00 p.m.**, or as soon thereafter as reasonably possible at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, on a proposal to provide funding through the Minnesota Job Creation Fund Program pursuant to authority granted under *Minnesota Statutes* 116J.8748 and *Minnesota Rules* Chapter 4301. This hearing is conducted in accordance with *Minnesota Statutes* 116J.994, Subd. 5.

Description of Projects and Proposed JCF Funding:

ERC may expand in Willmar (Kandiyohi County), Minnesota. ERC has been in the business of providing recovery collections for over 15 years and supports the financial services industry. The company plans on leasing initially 7,500 square feet of existing space in Willmar, MN where they plan on retrofitting the interior and exterior of a vacant building. The total project cost is \$1,603,440 with \$842,440 being eligible for the capital investment rebate as either interior renovations, expansion into the existing warehouse, and data infrastructure. The company expects to create 238 jobs over 3 years at an average cash wage of \$14.19 per hour. The project is eligible for a job creation award of up to \$500,000 and capital investment rebate of up to \$63,183.

Avenue 81, Inc. dba Leadpages may expand in Minneapolis (Hennepin County), Minnesota. Leadpages is a Minnesota-based technology company whose products allow customers with no technical coding background to create landing pages in order to collect leads and customer contacts. The company is currently based in Minneapolis and would relocate all of its employees to a newly constructed multi-tenant leased space, also in Minneapolis. The total project cost to the company is \$1,000,000, all of which would be eligible for the capital investment rebate as leasehold improvements on the new construction. The company expects to create 120 jobs within 3 years at an average cash wage of \$35.18 per hour. The project is eligible for a job creation award of up to \$500,000 and capital investment rebate of up to \$50,000.

All interested persons may appear and be heard at the time and place set forth above. Persons interested in participating via teleconference should contact Tom Washa, Minnesota Job Creation Fund Program Manager at (651) 259-7483 or Tom.Washa@state.mn.us prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Tom Washa at the street or e-mail address set forth above prior to the date of the hearing set forth above. All persons who appear at the meeting or participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

Department of Human Services

MNsure

Call for Applications for MNsure Advisory Committee Membership

NOTICE IS HEREBY GIVEN that the MNsure Board of Directors is in the process of recruiting members to fill open seats on its two statutorily-required Advisory Committees. The Advisory Committees are tasked with providing input representative of the various stakeholder groups affected by MNsure so as to better align the long-term future of MNsure with the needs of the public. Members are each appointed by the MNsure Board to a two-year term and may serve a maximum of two complete consecutive terms.

Official Notices

Currently, the Board is seeking applicants for two Committees: the Health Industry Advisory Committee and the Consumer and Small Employer Advisory Committee. Additional information on these Advisory Committees is available on the MNsure website.

Minnesotans who are interested in serving on these MNsure Advisory Committees are asked to complete an application, available on the MNsure website, MNsure.org.

Submissions are due by **5 p.m. on Thursday, October 20, 2016**, and must include (1) a résumé and (2) the application, which includes submission of basic contact information and a description of why the applicant is interested in serving on the committee.

Submissions may be made electronically via email to: MNsureBoard@state.mn.us.

They may also be mailed physically to:

MNsure
Attn: Board Advisory Committees
81 East Seventh St., Suite 300
St. Paul, MN 55101-2211

The MNsure Board will review applications and anticipates making appointments in November 2016.

If you have questions or would like to request another format of the application, please contact Aaron Sinner at 651-539-2058 or via email at aaron.sinner@state.mn.us.

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/>

Department of Corrections

Notice of Intent to Solicit Proposals for Grant Funding for Reentry and Halfway House Services to Probationers and Supervised Releasees starting in FY17

Notice of Intent to Solicit Proposals for Grant Funding for Reentry and Halfway House Services to Probationers and Supervised Releasees starting in FY17. Grant funding in the amount of \$300,000 will be made available in FY 17, with the possibility of extending the grant by four, one-year terms upon satisfactory delivery of services by the vendor and availability of funds.

The Minnesota Department of Corrections, Grants and Subsidies Unit is requesting proposals for the purpose of awarding grants to counties throughout MN to provide services for supervised releases and probationers to be placed in half-way houses or receive re-entry services. Grants will be financed from funds made available through the Legislative Supplemental Budget Bill HF2749, Article 4, Section 6, Subdivision 3(C). Counties throughout MN are eligible to apply for these funds, but must provide a 50 percent (50% of the total funds awarded to their agency) match to receive these grants.

A Request for Proposal will be available electronically from this office. **A written request (by direct mail or electronically) is required to receive the Request for Proposal.** It is the respondents responsibility to both provide the written request and ensure the Request for Proposal is received. Submissions of Proposals must be received by mail no later than **4:30PM, November 18, 2016. Late proposals will not be considered.** Fax or emailed proposals will **not** be considered.

State Grants & Loans

The Request for Proposal can be obtained from:

Timothy Schrupp
Grants and Subsidies Unit
Department of Corrections
1450 Energy Park Dr. Suite 200
St. Paul, MN 55108
(651) 361-7579 or Timothy.schrupp@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.

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 Website at www.mmd.admin.state.mn.us for informal solicitation announcements.

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

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Minnesota State Colleges and Universities (MnSCU)

Lake Superior College

Request for Proposal for Market Analysis for Lake Superior College Emergency Response Training Center

NOTICE IS HEREBY GIVEN that proposals are being solicited for a Market Analysis for Lake Superior College's Emergency Response Training Center to evaluate the existing market opportunities and feasibility of expanding into new markets. The Lake Superior College Emergency Response Training center is located at 11501 Hwy 23, Duluth, MN 55808.

For RFP packet contact Mike Francisco, LSC Business Services, 2101 Trinity Road, Duluth, MN 55811, Phone 218-733-5968, email m.francisco@lsc.edu

Sealed proposals are due at the Lake Superior College Business Office, 2101 Trinity Road, Duluth, MN 55811 by **10:00 am CT on Friday, November 18th, 2016.**

Minnesota Department of Human Services

Continuing Care for Older Adults and Community Support Divisions

Notice of Request for Proposals to provide Vendor Fiscal/Employer Agent Financial Management Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals for Vendor Fiscal/Employer Agent Financial Management Services.

State Contracts

Work is proposed to start February, 2017. For more information, or to obtain a copy of the Request for Proposal, contact:

Jennifer Strei
Department of Human Services
Disability Services Division
P.O. Box 64967
444 Lafayette Road North, St. Paul, MN 55155-0967
Phone: (651) 431-4300, Fax: (651) 431-7563
jennifer.m.strei@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 7, 2016. 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/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.

Minnesota Historical Society (MNHS) Request for Proposals for Architecture & Engineering Design Team for Historic Fort Snelling Revitalization

The Minnesota Historical Society (MNHS) is soliciting proposals from qualified architectural/engineering teams (Architect) to work collaboratively with MNHS in designing Phase I of the Historic Fort Snelling Revitalization project (Project) in Hennepin County, MN. MNHS will be selecting the Architect through a proposal and interview process. The architectural and engineering services will be provided under one contract for design. MNHS currently has funding in place for schematic design, with the remainder of design and ultimate construction dependent upon project funding.

The RFP is available by email only from Mary Green Toussaint, Contract Manager at *mary.green-toussaint@mnhs.org*

There will be a MANDATORY pre-bid meeting/tour for all interested parties on Thursday, October 27, 2016 from 8:30-10 am Local Time at the Site, which is located at Historic Fort Snelling Visitor Center, 200 Tower Road, St Paul, MN 55111.

All bids must be received no later than 1:00 P.M. Local Time on Wednesday, November 9, 2016 by Mary Green Toussaint, Contract Manager, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, or an authorized agent (Society staff located at the 1st floor Information Desk of the Minnesota History Center).

Minnesota Historical Society (MNHS) Request for Proposals for Construction Manager at-Risk Team for Historic Fort Snelling Revitalization

The Minnesota Historical Society (MNHS) is soliciting proposals from Construction Manager teams (CM) to work collaboratively with MNHS to provide Construction Manager at Risk (CMAR) services for Phase I of the Historic Fort Snelling Revitalization project (Project) in Hennepin County, MN. MNHS will be selecting the CM through a proposal and interview process. The CMAR services will be provided under one, stand alone, contract. MNHS currently has funding in place for schematic design, with the remainder of design and ultimate construction dependent upon project funding.

The RFP is available by email only from Mary Green Toussaint, Contract Manager at *mary.green-toussaint@mnhs.org*

There will be a MANDATORY pre-bid meeting/tour for all interested parties on Thursday, October 27, 2016 from 1:00-2:30pm Local Time at the Site, which is located at Historic Fort Snelling Visitor Center, 200 Tower Road, St Paul, MN 55111.

All bids must be received no later than 1:00 P.M. Local Time on Wednesday, November 9, 2016 by Mary Green Toussaint, Contract Manager, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, or an authorized agent (Society staff located at the 1st floor Information Desk of the Minnesota History Center).

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 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

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

Non-State 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

Dakota County Transportation Department Request for Proposals (RFP): Station Area Planning

The Dakota County Transportation Department is accepting proposals from qualified firms or groups of firms for consulting services to conduct Station Area Planning in Dakota County. This study will evaluate land use one-half mile around the Cedar Grove and Cliff Road stations along the METRO Red Line in the City of Eagan. Deliverables produced through the study will provide guidance to Dakota County and the City of Eagan on how to achieve a long-term vision for each station and to increase ridership for METRO Red Line.

Electronic and hard copies of the RFP document are available via email request from the project contact. Please indicate preference for electronic or hard copy, along with the name of your organization, contact person, mailing address, email address and phone number.

Questions pertaining to the scope of work shall be directed to the project contact and must be received via email by 4:00 PM CST on November 4, 2016. Responses to all questions received will be returned to all inquiring firms via email by November 7, 2016. All communication with the DCRRA or Dakota County during this procurement process shall be done through the project contact.

The deadline for receipt of proposals is **November 8, 2016 at 12:00 PM CST**.

Project Contact:

Matthew Parent, Transit Specialist
Dakota County Transportation Department
14955 Galaxie Avenue
Apple Valley, MN 55124
Email: matthew.parent@co.dakota.mn.us
Phone: 952-891-7271

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2016 Runway Planing and Regrooving - Rebid

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2016 Runway Planing and Regrooving - Rebid
MAC Contract No. 106-1-277
Bids Close At: 2:00 PM on October 25, 2016

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. This project provides for the planing of concrete runway pavements to improve surface texture followed by re-grooving of the planed areas. The project also includes pavement marking and electrical work.

Non-State Public Bids, Contracts & Grants

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?qsp=CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB)

The goal of the MAC for the utilization of TGB on this project is 3%.

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 TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to TKDA. Deposit per set (refundable): \$100.00. 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 10, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2016 Mother Lake Stormwater Improvements - Rebid

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2016 Mother Lake Stormwater Improvements - Rebid
MAC Contract No. 106-1-278
Bids Close At: 2:00 PM on October 25, 2016

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. This project provides for the construction of a sediment removal structure and associated storm sewer construction near the west end of Runway 12R-30L. The project also includes construction of an aggregate-surfaced access road.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?qsp=CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 11%.

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 TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$50.00. 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 10, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2016 Mezzanine HVAC/AHU Replacement & Penthouse (South)

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2016 Mezzanine HVAC/AHU Replacement & Penthouse (South)
MAC Contract No.: 106-2-806
Bids Close At: 2:00 pm on Tuesday, 25 October 2016

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 of this project includes building a new mechanical penthouse on an existing roof. Some of the new mechanical, electrical and telecommunication equipment and systems that are installed by this project replace existing, and require the removal and re-routing of equipment and systems.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 7%.

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

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in the Appendix.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; 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; PH: 763.503.3401; FX: 763.503.3409. Make checks payable to: Alliance. Deposit per set (refundable): \$150. 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 10, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for Terminal 1-Lindbergh Parking Expansion Roadway & Site Prep

Airport Location: Minneapolis-St. Paul International Airport
Project Name: Terminal 1-Lindbergh Parking Expansion Roadway & Site Prep
MAC Contract No.: 106-3-527
Bids Close At: 2:00 p.m., Tuesday, November 15, 2016

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. This project provides for building and canopy demolition, electrical building construction, QTA fire suppression system, cable, OH sign, entry plaza, entry plaza canopy, and roadway installation, and associated utility and duct bank construction, and landscape/hardscape installation at the Minneapolis-St. Paul International Airport.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Non-State Public Bids, Contracts & Grants

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

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.

Project Labor Agreement: This project is subject to the MAC’s Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in the Appendix.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc.; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$50.00 by entering eBidDoc™ #4659094 in the “Search Projects” page. Contact Quest Construction Data Network at 952-233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on October 17, 2016, at MAC’s web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Minnesota's Bookstore

Several convenient ways to order:

- **Retail store** Open 8 a.m. - 3 p.m. Monday - Friday, 660 Olive Street, St. Paul
- **Phone** (credit cards): 8 a.m. - 4 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)

- **On-line orders:** www.minnesotasbookstore.com

- **Minnesota Relay Service:** 711

- **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)

- **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.

PREPAYMENT REQUIRED. Prices and availability subject to change. **Fax and phone orders** require credit card.

Please allow 1-2 weeks for delivery. For **mail orders**, complete order blank and send to address above.

Enclose payment - for security reasons, we do not recommend mailing credit card information.

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Please make checks payable to "Minnesota's Bookstore."

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Stock No.	Title	Quantity	Unit Price	Total

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Street Address: <small>(Not deliverable to P.O. boxes)</small>		
City:	State:	Zip:
Daytime phone: () <small>(In case we have a question about your order - please include area code)</small>		

For security reasons, we recommend that you call to place a credit card order.

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Expiration date:	3- or 4- digit security code: <small>(found on back of card)</small>
Signature:	

Shipping Charges

<i>If Product</i>	<i>Please Add:</i>
Subtotal is:	
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-\$500.00	\$ 17.00
\$500.01-\$1,000	\$ 22.00*
<small>*\$22 to an address in MN, WI, SD, ND, IA.</small>	
<small>If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000 Call	

Product Subtotal _____

Shipping _____
(see chart at left)

Subtotal _____

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

TOTAL _____

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

ES# _____

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March 2016