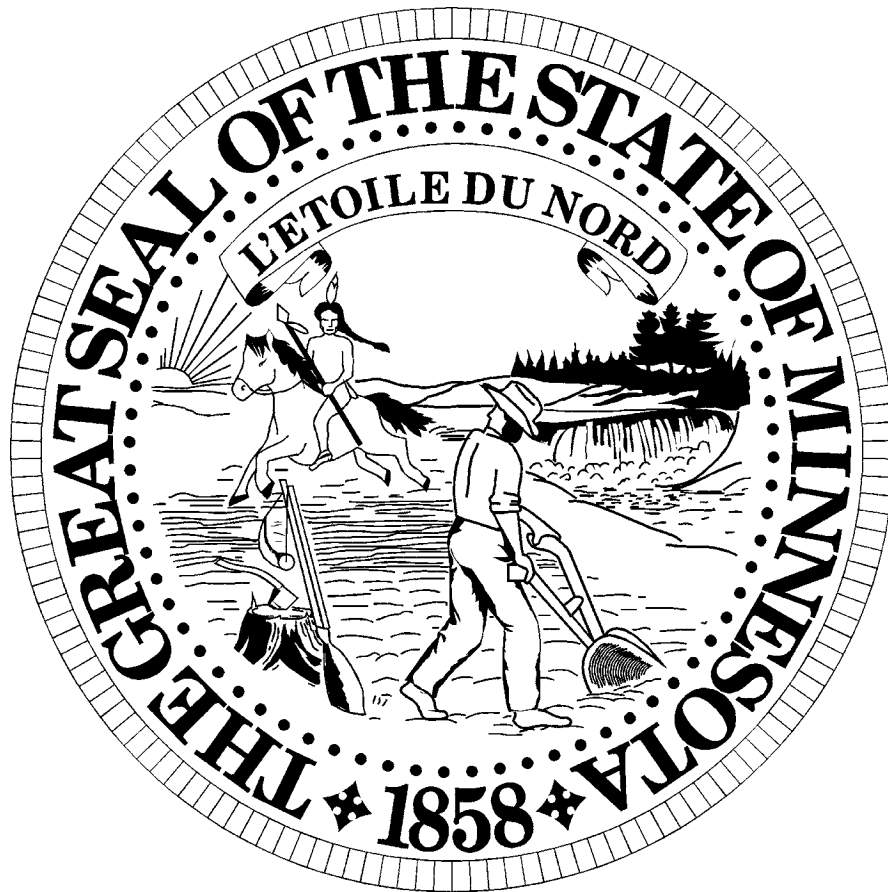


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 5 December 2016
Volume 41, Number 23
Pages 595 - 614**

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- Withdrawn Rules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)
# 24	Monday 12 December	Noon Tuesday 6 December	Noon Thursday 1 December
# 25	Monday 19 December	Noon Tuesday 13 December	Noon Thursday 8 December
# 26	Tuesday 27 December	Noon Tuesday 20 December	Noon Thursday 15 December
# 27	Tuesday 3 January	Noon Tuesday 27 December	Noon Thursday 22 December

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(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<http://www.senate.mn>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
http://www.access.gpo.gov/su_docs/aces/aces140.html

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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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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.

Board of Examiners for Nursing Home Administrators Adopted Permanent Rules Relating to Nursing Home Administrators

The rules proposed and published at State Register, Volume 40, Number 51, pages 1637-1646, June 20, 2016 (40 SR 1637), are adopted as proposed.

Minnesota Board of Nursing Adopted Permanent Rules Relating to Advanced Practice Nursing Education Programs

The rules proposed and published at State Register, Volume 41, Number 8, pages 239-247, August 22, 2016 (41 SR 239), are adopted with the following modifications:

6301.0100 DEFINITIONS.

[For text of subps 5 to 8, see M.R.]

Subp. 7a. **Comparable organizations.** A foreign accrediting organization is a "comparable organization" under this chapter if it only accredits those programs that meet or exceed the performance standards for nursing education programs in part 6301.2330. A foreign accrediting organization that accredits programs that do not meet such standards is not a comparable organization.

Subp. 7a. 7b. **Competence.** "Competence" means the application of knowledge, ethics, and the interpersonal, decision-making, and psychomotor skills expected for the practice role, within the regulatory context of public health, safety, and welfare.

[For text of subp 8, see M.R.]

Subp. 11a. **High-fidelity simulation.** "High-fidelity simulation" means a simulation conducted with full-scale computerized patient mannequins, virtual reality, or standardized patients and designed to provide a high level of interactivity and realism.

6301.2340 REQUIRED CRITERIA FOR NURSING EDUCATION PROGRAMS.

Subp. 3. Nursing education program.

A. The nursing education program must:

(5) ensure students of advanced practice programs:

(a) have learning activities ~~with faculty oversight~~ to acquire and demonstrate competence in clinical settings with patients in at least one population focus. The faculty must have oversight over the learning activities;

(6) ensure the director of practical and professional programs:

Adopted Rules

(b) has a graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or its successors, or by a comparable organization if the graduate degree is from an educational institution from a foreign country, ~~as acceptable to the board~~;

(7) ensure the director of the advanced practice program:

(b) has a doctoral degree from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or its successors, or by a comparable organization if the graduate degree is from a foreign country, ~~as acceptable to the board~~;

(c) effective January 1, 2025, holds a graduate degree with a major in nursing and a doctorate in nursing or a health-related field from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council of Higher Education Accreditation or successors, or by a comparable organization if the graduate degree is from a foreign country, ~~as acceptable to the board~~;

(8) ensure advanced practice nursing program faculty who coordinate or lead a program track are:

(a) educationally prepared;

(b) ~~and~~ nationally certified in the same role and population focus; and

(c) hold an unencumbered license as a registered nurse and as an advanced practice registered nurse with current registration in Minnesota;

(10) ensure practical nursing program faculty have a baccalaureate or graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country, ~~as acceptable to the board~~;

(11) ensure professional nursing program faculty have a graduate degree for full-time faculty and the majority of part-time faculty hold a graduate degree from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country, ~~as acceptable to the board~~. If the major of the graduate degree is not in nursing, the faculty must hold a baccalaureate degree with a major in nursing;

(12) ensure advanced practice nursing program faculty have a graduate degree in a health-related field in a clinical specialty from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the graduate-level degree is from a foreign country, ~~as acceptable to the board~~;

(13) effective January 1, 2025, ensure advanced practice nursing faculty have a baccalaureate or graduate degree with a major in nursing and a graduate degree in nursing or a health-related field in a clinical specialty from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate or graduate-level degree is from a foreign country, ~~as acceptable to the board~~;

6301.2350 GRANTING APPROVAL.

Subpart 1. **Program accreditation for practical and professional programs.** All Board of Nursing-approved practical and professional nursing education programs must provide evidence of current accreditation by a national nursing accrediting body recognized by the United States Department of Education or the Council for Higher Education Accreditation or its successors, ~~as acceptable to the board~~, by January 1, 2018, or must have achieved candidacy status leading to such accreditation and demonstrated satisfactory progression toward obtaining the accreditation.

Subp. 1a. **Program accreditation for advanced practice programs.** All Board of Nursing-approved advanced practice nursing education programs must provide evidence of current accreditation by a national nursing or nursing-related accrediting body

recognized by the United States Department of Education or the Council for Higher Education Accreditation or successors, ~~as acceptable to the board.~~

6301.2360 SURVEYS; COMPLIANCE WITH STANDARDS AND CRITERIA.

Subp. 2. **Survey for evidence of compliance with nursing education standards.** All Board of Nursing-approved nursing education programs must provide evidence of current accreditation by a national nursing accrediting body approved by the United States Department of Education or the Council for Higher Education Accreditation or its successors, ~~as acceptable to the board,~~ as specified in part 6301.2350, subparts 1 and 1a. All reports and communication with accrediting bodies must be submitted to the board including:

Subp. 6. **Survey required.** Under Minnesota Statutes, section 148.251, subdivision 3, the board must survey all nursing programs to determine if the board will continue approval. For approval to be continued, a nursing program must be in compliance with all board rules and must:

A. follow the accreditation cycle and process for initial or continuation of accreditation of the national nursing education accrediting or nursing-related accrediting body recognized by the United States Department of Education or the Council for Higher Education Accreditation or successors, ~~as acceptable to the board;~~

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.

Department of Administration Request for Information (RFI) for Availability of Lease Property

Department of Administration on behalf of the Department of Human Services

I. INTRODUCTION

The Minnesota Department of Administration, on behalf of the Department of Human Services, Minnesota Sex Offender Program (“MSOP”) is issuing this Request for Information (“RFI”) to gather information on the availability to lease rooms, apartments, existing or newly constructed single family homes and small multi-plex buildings to provide housing to individuals who are civilly committed to the Commissioner of Human Services for sex offender treatment under Minn. Stat. § 253D, and are court ordered to live in a residential setting in the community under provisional discharge.

II. PROPERTY TYPES

1. The State is seeking information to potentially lease the following property types:
2. Rooms for rent in existing adults-only rental properties.
3. Apartments for rent in existing adults-only apartment buildings.
4. Single family homes
5. Small multi-plex, e.g. duplex or four-plex, buildings.

III. SITE LOCATION REQUIREMENTS

1. Anywhere in the State.
2. Preference is for semi-rural or sparsely populated areas and/or on large lots.

IV. PROPERTY REQUIREMENTS

1. Housing must include working appliances, including washers and dryers, range/ovens, refrigerator/freezers, and microwave ovens.
2. State of Minnesota may ask to have certain security features installed or used on the property. Those costs will be reimbursed through the monthly lease fee. The State will remove the security items at its own cost upon termination of the lease.

Official Notices

3. All housing must meet all relevant codes, including but not limited to: State Building Code, National Electrical Code (NEC), Minnesota Model Energy Code, Minnesota Plumbing Code and, if applicable, Minnesota Department of Human Services and Minnesota Department of Health Licensing requirements.

V. LEASE PROVISIONS

1. Lease Format. State of Minnesota lease format will be used.
2. Term of Lease
 - A. The lease term for existing housing will be a minimum of two (2) years, with an option to renew.
 - B. The lease term for remodeled, new construction properties, or newly acquired properties may be up to ten (10) years, with an option to renew.
3. Monthly Rent.
 - A. The monthly rent must be a gross rental rate for each year of the lease term. The rental rate must include all operating, maintenance and repair costs, which shall be a landlord responsibility, including but not limited to, fuel and utilities, real estate taxes, insurance, trash removal, recycling, grounds maintenance, snow removal, maintenance and repairs, and lamp/ballast replacement for installed light fixtures.
 - B. State of Minnesota may be responsible for costs of fuel and utilities for single family homes if such fuel and utilities are appropriately metered.
 - C. Responder/Landlords must pay for up-front capital costs for acquisition, renovations and any property improvements. Capital expenditures that are approved by the State of Minnesota may be reimbursed by the State through the monthly lease fees.

VI. MISCELLANEOUS

Please note that this is only a request to gather information on availability and not a promise to lease. If there is a current or future interest in your property, the State may request a tour. If it is found that your property could meet the needs of the State, the State will contact you as the needs arise.

VII. INTERESTED PARTIES

Interested parties are requested to respond to this RFI by providing to Roger Behrens at the Department of Administration, in writing by mail or e-mail, the following information:

- 1) Location of the existing or proposed housing,
- 2) Description of the housing and property,
- 3) If a multi-tenant facility, how many apartments are available, and
- 4) Estimated monthly rental rate.

This information and any questions which arise should be sent to:

Roger Behrens, Real Property Specialist
Department of Administration
Real Estate Management Division
50 Sherburne Avenue, Room 309
St. Paul, Minnesota 55155
E-mail: roger.behrens@state.mn.us

VIII. DEADLINE

This RFI will remain open until **2:30 p.m. Monday, February 13, 2017.**

Minnesota Campaign Finance and Public Disclosure Board

Request for Comments for Possible Amendment to and Repeal of Rules Governing Campaign Finance Regulation and Reporting; Independent Expenditures; Economic Interest Disclosure; Lobbying, Gift Ban Provisions; and Audits and Investigations; and Possible Technical and Clarifying Updates to Rules Administered by the Campaign Finance and Public Disclosure Board; *Minnesota Rules*, chapters 4501 through 4525; Revisor's ID Numbers R-04450 and R-04451

Subject of Rules. The Minnesota Campaign Finance and Public Disclosure Board requests comments on its possible amendment to and repeal of rules governing campaign finance regulation and reporting, independent expenditures, economic interest disclosure, lobbying, gift ban provisions, and audits and investigations and its possible technical and clarifying updates to rules administered by the Board.

The Board is considering rule amendments and repeals that 1) clarify conduct, actions, and relationships that prevent an expenditure from being independent and related topics; 2) clarify which expenditures qualify as noncampaign disbursements and related topics; 3) clarify the disclaimer requirements and exemptions for statements of attribution on independent expenditures and campaign material; 4) allow staff review investigations to be resolved more quickly through the use of findings, conclusions, and orders; 5) clarify how to report reimbursements and the purpose of expenditures; 6) clarify when contributions made electronically are received; 7) specify the deadlines for actions necessary to qualify for public subsidy payments in a special election called under Minnesota Statutes section 204B.13; 8) revisit the definition of securities for economic interest statements to ensure that it is not overbroad; and 9) bring existing rules into conformance with statutory changes made since the Board's last rulemaking. As resources permit, the Board also will consider potential rule topics outside of this list submitted by members of the public.

The Board plans to pursue two rulemaking proceedings. One proceeding, Revisor's ID Number R-04451, will include the amendments necessary to conform the rules to current statutes and other amendments that have no opposition. The other proceeding, Revisor's ID Number R-04450, will include all other proposed amendments. The Board plans to determine which amendments to include in which proceeding based on the comments received in response to this notice, the comments made at the subcommittee meetings described below, and conversations with regulated parties.

Persons Affected. The amendment to and repeal of the rules would likely affect 1) candidates for state level offices; 2) candidate committees, political committees and funds, and political party units registered or required to register with the Board; 3) entities not registered with the Board that follow or participate in political campaigns; 4) groups not registered with the Board that make or consider making independent expenditures; 5) people who must file statements of economic interest with the Board because they are public and local officials; and 6) lobbyists registered with the Board and their principals.

Statutory Authority. *Minnesota Statutes* section 10A.02, subdivision 13, authorizes the Board to "adopt rules to carry out the purposes of this chapter."

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until **4:30 p.m. on Friday, February 3, 2017**. The Board plans to appoint a subcommittee of Board members to develop the proposed rule language. The first subcommittee meeting will be held in January 2017. Notice of the subcommittee meetings will be posted on the Board's website at <http://cfbreport.state.mn.us/RuleMaking/>. The subcommittee meetings will be open to the public and interested parties will have the opportunity to comment on the proposed rule topics and language. The Board does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board has not yet drafted the possible rule amendments and repeals but anticipates that drafts of potential language will be available before publication of the proposed rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Jodi Pope at Campaign Finance and Public Disclosure Board, 190 Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155; (651) 539-1183; fax (651) 539-1196 or (800) 357-4114; jodi.pope@state.mn.us or submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com>

Official Notices

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

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

Dated: November 28, 2016
Jeff Sigurdson, Executive Director
Campaign Finance and Public Disclosure Board

Board of Nursing Notice of Meetings of the Minnesota Board of Nursing

NOTICE IS HEREBY GIVEN that the February - December 2017 meetings of the Minnesota Board of Nursing have been scheduled at **8:30 a.m., at 2829 University Avenue SE, 4th Floor, Conference Rooms A & B, Minneapolis, Minnesota** on the following dates:

February 2, 2017

April 6, 2017

June 1, 2017

August 3, 2017

October 12, 2017

December 7, 2017

A portion of each meeting is review of disciplinary cases and is closed to the public.

For details about time of the open meeting, the agenda or other information, please access the Board of Nursing website:
<http://mn.gov/health-licensing-boards/nursing/?agency=NursingBoard>

The following 2017 meetings are for review of disciplinary cases and are closed to the public:

January 5, 4:30 p.m.

March 2, 7:30 a.m.

May 4, 4:30 p.m.

July 6, 7:30 a.m.

September 7, 4:30 p.m.

November 2, 7:30 a.m.

Minnesota Pollution Control Agency

Watershed Division

Notice of Availability of the Osakis Lake Area Excess Nutrients Total Maximum Daily Load (TMDL) and Request for Comment

Public Comment Period Begins: December 5, 2016

Public Comment Period Ends: January 4, 2017

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the Draft Osakis Lake Area Excess Nutrients Total Maximum Daily Load (TMDL). The draft TMDL is available for review at:

<https://www.pca.state.mn.us/water/tmdl/lake-osakis-watershed-excess-nutrients-tmdl-project>. Written comments on the draft TMDL must be sent to the MPCA contact person listed below by 4:30 p.m. on the end date. The MPCA will prepare responses to comments received and make any necessary revisions of the document. Subsequent to the revision(s), the draft TMDL will be submitted to the U.S. Environmental Protection Agency (EPA) for approval.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them.

This TMDL study addresses nutrient impairments in Osakis, Smith, and Faille lakes, located in the Sauk River Watershed in the upper Mississippi River Basin.

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

Scott Lucas
MPCA – Baxter Office
7678 College Road, Suite 105
Baxter, Minnesota 56425
Telephone: 218-316-3874
Fax: 218-828-2594
Email: scott.lucas@state.mn.us

TTY users may call the MPCA teletypewriter at 651-282-5332 or 800-657-3864.

Preliminary Determination on the draft TMDL Report: The MPCA Commissioner has made a preliminary determination to approve this TMDL and will submit this TMDL Report to the EPA for final approval. A draft TMDL Report and factsheet are available for review at the MPCA office at the address listed below and at the MPCA Website: <https://www.pca.state.mn.us/water/tmdl/lake-osakis-watershed-excess-nutrients-tmdl-project>. Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

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

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

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

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

Official Notices

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

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

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

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

MPCA Decision:

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

Minnesota Pollution Control Agency

Watershed Division

Public Notice of Availability of the Draft Lake Winona Phosphorus Total Maximum Daily Load Report and Request for Comment

Public comment period begins: December 5, 2016

Public comment period ends: January 4, 2017

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Lake Winona Phosphorus Total Maximum Daily Load (TMDL) Report (Report). The draft TMDL report is available on the MPCA website at <https://www.pca.state.mn.us/water/tmdl/lake-winona-%E2%80%94-excess-nutrients-tmdl-project>.

Comments on the draft Report should be addressed to the MPCA contact person listed below and must be received by the MPCA by **4:30 p.m. on January 4, 2017**. The MPCA will review all comments received, determine possible revision to the draft TMDL Report and prepare written responses to the comments. The MPCA will then submit the report to the U. S. Environmental Protection Agency (EPA) for approval.

Lake Winona was listed as impaired for nutrients, pursuant to Section 303(d) of the Clean Water Act, because of excessive levels of phosphorus, Chlorophyll-A, and decreased clarity.

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

Denise Oakes, P.G.
Minnesota Pollution Control Agency
714 Lake Avenue, Suite 220
Detroit Lakes, Minnesota 56501
Phone: 218-846-8119
Toll Free: 800-657-3864
Fax: 218-846-0719
Email: denise.oakes@state.mn.us

TTY users may call the MPCA teletypewriter at 651-282-5332 or 800-657-3864

Preliminary Determination on the Draft TMDL Report. The MPCA Commissioner has made the preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above and on the MPCA website at:

<https://www.pca.state.mn.us/water/tmdl/lake-winona-%E2%80%94-excess-nutrients-tmdl-project>

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

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

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

Public Information Meeting. A public information meeting will be held at 2:00 PM, Friday, December 16, 2016 at the Douglas County Public Works Building located at 526 Willow Drive, Alexandria, Minnesota. A public information meeting is an informal meeting the MPCA will hold to solicit public comment and statements on matters pertaining to the TMDL study and process, and to help clarify and resolve issues.

Petition for Contested Case Hearing. A petition for a contested case hearing may be submitted. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 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 the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

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

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

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

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.

Office of Administrative Hearings

Notice of Contract Opportunity for Contract Administrative Law Judges

PROJECT NAME: Contract Administrative Law Judges

DETAILS: The Minnesota Office of Administrative Hearings is requesting proposals for the purpose of contracting with qualified individuals to serve as contract administrative law judges.

OAH provides hearing and mediation services to more than 50 state agencies and local units of governments. As part of their duties, OAH's administrative law judges preside over evidentiary hearings, conduct fact-finding conferences and mediate the resolution of disputes.

Work is anticipated to start after January 30, 2017.

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email, to:

Denise Collins
Acting Court Administrator
PO Box 64620
St. Paul, MN 55164-0620
denise.collins@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by overnight delivery, local courier, or in person no later than **4:30 p.m. CDT on December 19, 2016**. **Late proposals will not be considered.** Email/fax/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.

Minnesota State Colleges and Universities (MnSCU)

Dakota County Technical College

Notice of Request for Proposals for the purchase of Two (2) or more, Freightliner Cascadia, Class 8, Tandem Axle, On Highway Trucks for the Heavy Duty Truck Technology Academic Program

Dakota County Technical College (DCTC) of Rosemount, MN is accepting proposals for the purchase of Two (2) or more Freightliner Cascadia, class 8, tandem axle, on highway trucks for the Heavy Duty Truck Technology Academic Program.

To receive a complete copy of the bid specifications, please contact Chris Haan by email at: purchasing@dctc.edu

Sealed proposals (fax and email bids will not be accepted) must be delivered no later than **2:00pm CST Friday, December 9, 2016** to:

Dakota County Technical College
Attn: Purchasing – Heavy Duty Truck Technology Proposal
1300 East 145th St.
Rosemount, MN 55068
Phone: 651.423.8405
Email: purchasing@dctc.edu

This RFP does not obligate the Minnesota State system, its Board of Trustees or the System Office to award a contract or complete the proposed project. The Minnesota State system, its Board of Trustees or the System Office and each reserves the right to cancel this RFP if it is considered to be in its best interest.

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 **10:00am CT on Friday, January 13, 2017**.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

Minneapolis Community and Technical College (MCTC)

Request for Proposal for Student Health Services

PROJECT NAME: Student Health Services

DETAILS: Minneapolis Community and Technical College (MCTC) is requesting proposals for student health services to provide health services including (but not limited to) routine preventive health medical assessments; diagnoses and treatments for injuries like sprains, strains and fractures; screenings for sexually transmitted infections, strep, Mantoux and others; standing order treatments and referrals for positive tests; vaccinations; acute care for minor injuries; phlebotomy for laboratory procedures; orders for on-site radiologic studies; mental health services to include at least one day per week of medication management and at least four days per week for diagnostic assessment and short-term psychotherapy; health education promotion and programming. In addition, vendor will also coordinate processing of all insurance claims. Services to be provided four days per week during fall and spring terms (approximately 30 weeks) and 2 days per week (approximately 7 weeks) during the summer term.

Work is anticipated to start July 1, 2017.

COPY REQUEST: To get a copy of the Request for Proposal and Bid Form, please send a written request by email to Denise Bednar at Minneapolis Community and Technical College at Denise.Bednar@minneapolis.edu

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than **January 13, 2017**. **Late proposals will not be considered. E-mailed or Faxed proposals will not be considered.** This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Minnesota Indian Affairs Council

Notice of Contract Opportunity for Development of an Osteology Laboratory and Repository

PROJECT NAME: Development of an Osteology Laboratory and Repository

DETAILS: The Minnesota Indian Affairs Council is requesting proposals for the purpose of assisting with the creation of a fully operational Osteology Laboratory and Repository.

Work is anticipated to start after December 14, 2016.

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email, to:

Melissa Cerda
Cultural Resource Specialist
161 St. Anthony Ave, Suite 919
St. Paul, MN 55103
Melissa.Cerda@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than **December 21, 2016**. **Late proposals will not be considered.** Fax and email proposals will **not** be considered.

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

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements

Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. Maximize Lottery Visibility – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

2. Enhance Lottery Image – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

3. Provide Promotional Extensions – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Telephone: (651) 635-8230
Toll-free: 1-888-568-8379 ext. 230
Fax: (651) 297-7496
TTY: (651) 635-8268
E-mail: jasonla@mnlottery.com

Other personnel are not authorized to answer questions regarding this Solicitation.

Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

Minnesota Department of Natural Resources (DNR) Notice of Contract for Research Evaluating Northern Pike and Yellow Perch Stocking - Single Source - St. Thomas University

Notice of Availability of Contract for conducting a research project evaluating Northern Pike and Yellow Perch stocking as a tool to potentially sustain or lengthen period of time with positive ecological, water quality, and submerged plant responses following water level drawdown and fish toxicant treatments. University of St. Thomas, Dr. Zimmer, would lead stable isotope work, fish community sampling, bioenergetics modeling, as well as invertebrate and water quality sampling.

This is a single source posting notification; there are no solicitation documents. This is deemed a single source because of the specialized skills in fish bioenergetics modeling and stable isotope analysis. Professor Zimmer has demonstrated ability to perform analytical procedures including linear mixed modeling, model fitting, multivariate community analyses and development of presentation-quality graphics to convey study results. His numerous peer-reviewed publications from field studies conducted on shallow Minnesota lakes include summaries of ecological regime shifts (classification of lake states, and controlling variables), factors affecting distribution of fish, carbon and nutrient dynamics, relationship among fish/aquatic invertebrates/aquatic plants, and roles of fish communities in aquatic food webs.

If anyone has any concerns regarding this single source opportunity you must contact Thomas Murphy via email to thomas.murphy@state.mn.us before **December 9, 2016 at 2:00 PM CT** (central Time).

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

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/>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids 2017 EMC Plant Upgrades (P1)

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2017 EMC Plant Upgrades (P1)
MAC Contract No.: 106-2-814
Bids Close At: 2:00 p.m. December 13, 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 is an effort to replace aging components of the MAC's central boiler and chiller plants, especially in Terminal 1-Lindbergh and Terminal 2-Humphrey. This phase includes rebuilding three chillers, updating the Terminal 1-Lindbergh boiler chemical system, and replacing gear boxes on the cooling towers at Terminal 1-Lindbergh.

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 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 Michaud Cooley Erickson; 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 Park, MN 55430; PH: 763-503-3401; FX: 763-503-3409. **Make checks payable to: Michaud Cooley Erickson.** 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 November 28, 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 2017 Terminal 1-Lindbergh Building Remediation P1

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2017 Terminal 1-Lindbergh Building Remediation P1
MAC Contract No: 106-2-796
Bids Close At: 2:00 p.m. on Tuesday, December 13, 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 work is related to the maintenance of the exterior building envelope of Terminal 1-Lindbergh. The work includes, but is not limited to, the removal and replacement of the following: curtain wall, curtain wall gaskets, sealant work at exterior metal panels, and doors. Related electrical and mechanical systems will be reconfigured to facilitate this scope of work.

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.

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 November 28, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).



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