

# 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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 1 May 2017**

**Volume 41, Number 44**

**Pages 1247 - 1278**

# 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- Withdrawn Rules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 ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 45	Monday 8 May	Noon Tuesday 2 May	Noon Thursday 27 April
# 46	Monday 15 May	Noon Tuesday 9 May	Noon Thursday 4 May
# 47	Monday 22 May	Noon Tuesday 16 May	Noon Thursday 11 May
# 48	Tuesday 30 May	Noon Tuesday 23 May	Noon Thursday 18 May

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### Minnesota Legislative Information

#### Senate Public Information Office

(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](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.

**Volume 41 - Minnesota Rules**  
**(Rules Appearing in Vol. 41 Issues #1-26 are**  
**in Vol 41, #26 - Tuesday 27 December 2016)**  
**Volume 41, #44**

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# Expedited Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for normal 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 conditions. Expedited rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain conditions.

Expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited 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.

## Board of Barber Examiners

### Proposed Expedited Permanent Rules Relating to Barber Regulations; Notice of Intent to Adopt Expedited Rules without a Public Hearing

#### NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed amendments of Rules Governing Barbering, *Minnesota Rules Chapter 2100*; Revisor's ID: RD 04439

**Introduction** The Minnesota Board of Barber Examiners intends to amend rules under the expedited rulemaking process, following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410 and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.389. You may submit written comments on the proposed expedited rules until May 31, 2017.

**Agency Contact Person.** For questions contact Thora Fisko, Executive Secretary, Minnesota Board of Barber Examiners, 2829 University Avenue SE #425 Minneapolis, MN 55414 Phone: 651-201-2820 Fax: 612-617-2248 Email: [bbe.board@state.mn.us](mailto:bbe.board@state.mn.us) Public comments should be submitted electronically at <https://minnesotaoah.granicusideas.com>

**Subject of the Expedited Rules and Statutory Authority** Revisions to *Minnesota Statutes* Chapter 154 governing barbering enacted by 2016 Session Law Chapter 189, Article 13 sections 29-52 and 68-70 result in the proposed revisions to *Minnesota Rule* Chapter 2100. Per 2016 Session Law Chapter 189, Article 13 section 68 the Board of Barber Examiners has the authority to use expedited rulemaking procedures under *Minnesota Statutes*, section 14.389, to amend *Minnesota Rules* Chapter 2100, to conform with *Minnesota Statute* Chapter 154.

*Minnesota Rules* Chapter 2100 parts 2100.0200; 2100.0300; 2100.0500; 2100.0600; 2100.0700; 2100.0800; 2100.0900; 2100.1000; 2100.1100; 2100.1200; 2100.1300; 2100.1400; 2100.1500; and 2100.1700 related to apprentice barbers will be repealed as obsolete, the related sections of *Minnesota Statute* Chapter 154 have been repealed. Sections 2100.5400 and 2100.5800 are also identified for repeal as being obsolete having no basis in current *Minnesota Statute* Chapter 154 and per the boards 2016 obsolete rules report.

Additional changes are proposed throughout *Minnesota Rules* Chapter 2100 to conform to *Minnesota Statutes* Chapter 154 including, but not limited to, the elimination of apprentice barber requirements, the elimination of oral examinations, home study course requirement, examination reporting and review, and changes to nonresident application requirements. A copy of the full proposed rule revisions are attached to this notice. In addition the proposed expedited rules may be viewed at <https://mn.gov/boards/barber-examiners/> or <https://minnesotaoah.granicusideas.com>

**Comments** You have until **4:30p.m. Thursday, May 31, 2017** to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the due date. The Minnesota Board of Barber Examiners encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period. Public comments should be submitted electronically at <https://minnesotaoah.granicusideas.com>

**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.

# Expedited Rules

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**Lobbyist Registration** *Minnesota Statutes*, Chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, phone 651-539-1180 or 1-800-657-3889.

**Adoption and review of Expedited Rules** If no hearing is required the agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or to register with the board to receive notice of future rule proceedings, submit your request to the board contact person listed above.

Date: April 19, 2017

Thora G. Fisko, Ed.S., Executive Secretary  
Minnesota Board of Barber Examiners  
2829 University Avenue SE #425  
Minneapolis, MN 55414  
651-201-2821

## 2100.0100 DEFINITIONS.

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

Subp. 3. **Has practiced as a barber.** The phrase “Has practiced as a barber” contained in under Minnesota Statutes, section 154.11, means that a person has performed the acts of barbering under a certificate of registration as either a registered barber or a registered apprentice.

*[For text of subps 4 to 7, see M.R.]*

## 2100.2600 APPLICATION FOR EXAMINATION.

An applicant for examination as a registered barber shall file an application for examination ~~and a sworn affidavit of completing 12 months and 1,500 hours of supervision~~ on forms furnished by the board. This application must be filed with the board no later than the 20th day of the month preceding the month in which the examination is to be given; provided, however, that the board shall, upon the showing of a hardship, accept applications at a later date.

Applicants for registered barber status must complete the program entitled “Home Study Course for Barbers” prepared or approved by the Board of Barber Examiners before the examination may be taken.

## 2100.2700 NONRESIDENT BARBERS; QUALIFICATIONS.

Subpart 1. **Verification of qualifications.** The board must find the following to determine that another state or country has substantially the same requirements for registration of barbers as provided under Minnesota Statutes, ~~chapter 154~~ section 154.11:

- A. the same educational requirements as Minnesota Statutes, section 154.05, paragraph (a), clause (1); and
- B. graduation from a barber school that requires:
  - (1) approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota; and
  - (2) a curriculum that is equivalent to Minnesota Statutes, section 154.07, and parts 2100.0100 to 2100.9300;
- C. ~~must meet requirements for a registered apprentice in Minnesota Statutes, section 154.05, clause (2); and~~
- D. ~~the same practice requirements for a registered apprentice as set forth in Minnesota Statutes, section 154.05, clause (2);~~

~~Applicants unable to comply with items A and B must make up the difference in a Minnesota accredited barber school. Barbering experience shall be considered equivalent to or substantially the same as hours in school training.~~

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# Expedited Rules

## Subp. 2. Nonresident applicant not meeting qualifications.

A. Applicants unable to comply with the educational requirements in subpart 1 must make up the difference in a Minnesota board-approved barber school.

B. Verified barbering experience, under a current registration, certificate, or license as a registered barber, shall be considered equivalent to or substantially the same as hours in school training.

C. Foreign country credentials must be verified by a board-approved professional credential evaluation provider.

D. An applicant complying with and successfully verified under this subpart must also successfully pass the Minnesota examination.

## **2100.2900 CONTENTS OF EXAMINATION.**

~~Each~~ An examination consists of ~~six~~ five parts: ~~oral~~, a written examination, and four practical services. The type of haircut, shave or beard trim, and two of the following practical services: shampoo, perm wrap, facial, or color application, will be determined at the discretion of the board.

## **2100.3000 GRADING OF EXAMINATION.**

The registered barber examinations given pursuant to Minnesota Statutes, section 154.09, shall be graded as follows: The grading criteria for the written part of the examination and the passing grade ~~thereon~~ will be established for each written examination at the time of its preparation; however, the lowest passing grade established ~~hereunder~~ shall never be less than 55. The grading for the practical performances ~~and the oral part of the examination~~ will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 75 will be the minimum passing grade for the haircut portion, and 75 will also be the minimum passing score for the average of the remaining parts of the practical performances. ~~The minimum passing score for the oral portion of the examination will be 75.~~ If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 75 on the ~~oral portion of the examination~~, the haircut portion of the examination, or score an average of at least 75 on the remaining parts of the practical examination, ~~such~~ the applicant will have failed the ~~entire~~ examination, and ~~thereafter~~ may only retake the ~~entire~~ examination after paying the necessary fee and meeting the requirements of Minnesota Statutes, section 154.05.

## **2100.3200 FAILURE OF EXAMINATION; ~~ADDITIONAL APPRENTICE PRACTICE.~~**

~~An apprentice who fails to satisfactorily pass an examination for a certificate of registration to practice as a registered barber, and onetime written retake if applicable, must practice an additional two months and 300 hours to be eligible to retake the examination. The additional two months practice required by Minnesota Statutes, section 154.05, clause (5) shall include not less than 300 hours of work time. The registered barber who supervises the additional two months practice must file an affidavit with the board for the additional practice period individual who has not held a Minnesota barber registration prior to examination and who fails the examination and onetime written retake, if applicable, shall complete an additional 500 hours of barber school to be eligible to retake the examination as many times as necessary to pass.~~

An individual who has previously held a Minnesota barber registration as an apprentice or registered barber may take the examination as many times as necessary to reinstate the registration without additional barber school hours.

## **2100.3300 FAILURE TO RENEW CERTIFICATE WITHIN ~~ONE YEAR~~ FOUR YEARS.**

A registered barber who has failed to renew the certificate of registration for four years or more from the date of expiration must complete the current program entitled Home Study Course for Barbers prepared or approved by the Board of Barber Examiners and take and pass the registered barber examination before a certificate of registration may be issued. Home Study Course for Barbers is required prior to examination for all examinees.

## **2100.3350 REVIEW OF EXAMINATION RESULTS.**

An applicant may review their examination results at the office of the Board of Barber Examiners, by appointment, during usual business hours. No copies of examinations, answer sheets, or score sheets will be given, allowed, or provided under Minnesota Statutes, section 13.34.

# Expedited Rules

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## **2100.5700 REGISTERED INSTRUCTORS, TEMPORARY TEACHER, OR EMERGENCY TEACHER.**

Subpart 1. **Number of registered instructors.** The provisions of Minnesota Statutes, section 154.07, requiring one registered instructor for every ~~17~~ 20 students ~~or minor fraction in excess thereof~~ applies to classroom instruction as well as practical instruction. ~~“Minor fraction in excess thereof” means a maximum of 20 students per instructor for a period of no more than three months.~~ An applicant shall name in the application the names of all instructors and teachers. The board will not issue a temporary teacher’s permit for a new school. To assure barber school students adequate uninterrupted training, a temporary teacher’s permit can be issued upon approval of the board.

*[For text of subps 2 and 3, see M.R.]*

## **2100.7700 OTHER USE OF PREMISES.**

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

Subp. 2. **Exception: barber shop with beauty shop.** Subpart 1 notwithstanding, a ~~beauty shop~~ cosmetology salon and a barber shop may be operated in conjunction, without being separated by a partition of ceiling height.

## **2100.7900 MEDICAL TREATMENT.**

No barber, ~~apprentice barber~~, or student barber shall undertake to treat any disease of the skin, nor apply any medicine or treatment which administration is not distinctly a part of barbering. No barber shall apply drops to the eyes.

## **2100.8800 RESPONSIBILITY FOR VIOLATIONS.**

For the purpose of this ~~act~~ chapter, barbers, ~~apprentice barbers~~, student barbers, or the proprietor or manager shall be responsible for all violations of the sanitary provisions of ~~the act~~ this chapter.

## **2100.9300 FEES.**

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

Subp. 4. **Renewals; schedule.** This subpart governs renewals of registrations.

A. ~~Apprentices~~, Barbers, instructors, temporary teacher permits, and school registrations shall renew ~~their~~ registrations by no later than December 31 of each year for the ensuing year to avoid a late penalty fee.

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

*[For text of subp 5, see M.R.]*

**REPEALER.** Minnesota Rules, parts 2100.0200; 2100.0300; 2100.0500; 2100.0600; 2100.0700; 2100.0800; 2100.0900; 2100.1000; 2100.1100; 2100.1200; 2100.1300; 2100.1400; 2100.1500; 2100.1700; 2100.5400; and 2100.5800, are repealed.

# 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 Agriculture, Commerce and Pollution Control Agency Notice of Biodiesel Task Force meeting

The Minnesota Departments of Agriculture, Commerce and the Pollution Control Agency announce a meeting of the Biodiesel Task Force:

**Friday, June 9, 2017 1:00-3:00 pm**

Orville L. Freeman Building, Room B555  
625 N. Robert Street, Saint Paul, MN 55155

The agenda for the meeting will be posted on the Biodiesel Task Force webpage:

<http://www.mda.state.mn.us/en/renewable/biodiesel/biodieselforce.aspx>

For more information, contact:

Kevin Hennessy, Bioenergy Manager  
Minnesota Department of Agriculture  
625 Robert Street North  
St. Paul, MN 55155  
**Phone:** (651) 201-6223  
**E-mail:** [kevin.hennessy@state.mn.us](mailto:kevin.hennessy@state.mn.us)

## 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 Amendment 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 **Friday, May 12, 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 Project and Proposed JCF Amendment:

Wagner SprayTech Corporation is expanding in Plymouth (Hennepin County), Minnesota. The company is a manufacturer and marketer of products for surface preparation and surface finishing applications sold nationally and internationally in the consumer and contractor markets. The project is aimed at optimizing their space and maximizing appropriate adjacencies within their business. The company was expecting to create 66 jobs at an average cash wage of \$26.94 per hour and have a total project cost of \$8,440,000. The project was awarded a job creation award of up to \$360,000 and capital investment rebate of up to \$324,500 over a five (5) year term. The purpose of the public hearing is to consider increasing the capital investment rebate of up to \$324,500 to up to \$480,000 due to project scope enhancements that has increased the total project cost to \$14,468,740.

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](mailto:Tom.Washa@state.mn.us) prior to the date of the hearing for instructions on how to participate in the conference call.

# Official Notices

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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.

## **Minnesota Higher Education Facilities Authority Notice of Public Hearing on Revenue Obligations**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Saint Mary's University of Minnesota (the "University"), as owner and operator of Saint Mary's University of Minnesota, at the Authority's office at 380 Jackson Street, Suite 450, St. Paul, Minnesota on **May 17, 2017 at 2:00 p.m.**

Under the proposal, the Authority would issue its revenue bonds or other obligations in an original principal amount of up to approximately \$2,500,000 to finance a project (the "Project") consisting of the advance refunding of the Authority's outstanding Revenue Bonds, Series Seven-C (Saint Mary's University of Minnesota), dated May 20, 2010, which were issued in the original principal amount of \$4,085,000 (the "Series Seven-C Bonds").

The Series Seven-C Bonds were issued to provide funds to finance the current refunding of the Authority's outstanding Revenue Bonds, Series Five-E (Saint Mary's University of Minnesota), dated June 1, 2000, which were issued in the original principal amount of \$5,020,000 to finance the acquisition, construction, furnishing and equipping of the Hillside Building, a four-level apartment-style student residence building of approximately 41,000 square feet and related site improvements.

All the facilities and improvements to be refinanced by the Project are owned and operated by the University and located on the University's main campus, the principal street address of which is 700 Terrace Heights, Winona, Minnesota.

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

Dated: May 1, 2017.

By Order of the  
Minnesota Higher Education Facilities Authority  
Barry W. Fick  
Executive Director

## **Minnesota Pollution Control Agency**

### **Watershed Division**

### **Notice of Availability of the Draft Watershed Restoration and Protection Strategies (WRAPS) Report and Total Maximum Daily Loads (TMDL) Report for the Rum River Watershed and Request for Comment**

**Public Comment Period Begins: May 1, 2017**

**Public Comment Period Ends: 4:30 on May 31, 2017**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the WRAPS Report and TMDLs for the Rum River Watershed. The draft reports are available for review at: <https://www.pca.state.mn.us/water/watersheds/rum-river>.

Written comments on the draft reports must be sent to the MPCA contact person listed below by

May 31, 2017 by 4:30 p.m. The comments should indicate as to whether they are about the WRAPS Report or the TMDL Report, and specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions to the documents.

Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

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# Official Notices

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

The TMDL Report focuses on pollution caused by excess bacteria and nutrients, and low oxygen conditions. The TMDL Report is a scientific study that calculates the maximum amount of a pollutant that a water body can receive (known as the "loading capacity") without exceeding water quality standards, and allocates needed pollutant load reductions.

The reports are focused on the Rum River Watershed, which is located in central Minnesota stretching from Lake Mille Lacs in the north to the confluence with the Mississippi River in the city of Anoka. The watershed covers large portions of Aitkin, Mille Lacs, Isanti and Anoka Counties and covers smaller areas of Crow Wing, Morrison, Benton, Kanabec, Chisago, and Sherburne County as well as portions of the Mille Lacs Band of Ojibwe Tribal land.

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

Bonnie Finnerty  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, Minnesota 56425  
Phone: 218-316-3897; 800-657-3864  
Fax: 218-828-2594  
Email: [bonnie.finnerty@state.mn.us](mailto:bonnie.finnerty@state.mn.us)  
Website: <http://www.pca.state.mn.us/water/tmdl>

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

**Preliminary Determination on the Draft WRAPS and TMDL Reports (Reports).** The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval or submit this TMDL Report to the EPA for final approval. Reports 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/watersheds/rum-river>. Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

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

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

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

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

# Official Notices

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**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 application or draft WRAPS and/or TMDL Reports; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS and/or TMDL Reports. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in 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 these Reports. 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 Reports.

## Minnesota Pollution Control Agency

### Watershed Division

#### Notice of Availability of the Draft Pioneer-Sarah Creek Watershed Restoration and Protection Strategies (WRAPS) and Total Maximum Daily Loads (TMDL) and Request for Comment

**Public Comment Period Begins: May 1, 2017**

**Public Comment Period Ends: May 31, 2017**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the WRAPS Report and TMDLs for the Pioneer-Sarah Creek Watershed (note that this watershed is in portions of the North and South Fork Crow River Watersheds). The draft WRAPS Report and TMDLs are available for review at:

<https://www.pca.state.mn.us/water/tmdl/pioneer-sarah-creek-watershed-restoration-and-protection-strategy-tmdl-project>.

Written comments on the draft WRAPS Report and TMDLs must be sent to the MPCA contact person listed below by May 31, 2017, 4:30 p.m. The comments should indicate as to whether they are about the WRAPS Report or the TMDLs, and specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions of the two documents. Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

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

The TMDL report focuses on pollution caused by excess bacteria and associated pathogens in four streams, and excess

nutrients in six lakes. The WRAPS report identifies the necessary strategies, or actions, needed to restore the impaired waterbodies and protect waterbodies that are not impaired. Actions include increasing buffers, reducing internal loading in lakes, improving manure and pasture management practices, improving urban stormwater management, and implementing livestock and agricultural best management practices. The WRAPS and TMDL reports for the Pioneer-Sarah Creek Watershed are being developed by a collaboration of state agencies and local watershed stakeholders.

The Pioneer-Sarah Creek Watershed is located in portions of the North and South Fork Crow River Watersheds in Hennepin County and covers approximately 70 square miles. Land use in the watershed is variable, but predominately undeveloped and agricultural.

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

Rachel Olmanson  
MPCA – Metro Region  
520 Lafayette Road  
Saint Paul, Minnesota 55155  
Telephone: 651-757-2473; 800-657-3864  
Fax: 651-297-8676  
Email: [rachel.olmanson@state.mn.us](mailto:rachel.olmanson@state.mn.us)  
Website: <http://www.pca.state.mn.us/water/tmdl>

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

**Preliminary Determination on the draft WRAPS and TMDL Reports:** The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval. A draft TMDL Report is 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/pioneer-sarah-creek-watershed-restoration-and-protection-strategy-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 WRAPS and TMDL Reports or on the Commissioner's preliminary determination. Written comments must include the following:

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

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

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

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

# Official Notices

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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 WRAPS and TMDL Reports. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Commissioner, will make the final decision on the draft WRAPS and TMDL Reports.

## Teachers Retirement Association Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on **Wednesday, May 24, 2017 at 9:30 a.m.** in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate by telephone.

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the State Register, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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

## Minnesota Department of Human Services Health Care Administration Division

### Notice of Request for a Qualified Grantee to Provide Integrative, Collaborative Perinatal Care to Women in Communities at High Risk for Low Birth Weights

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals from qualified responders to achieve improved birth outcomes in areas of the state where adverse birth outcomes related to low birth weight are significantly elevated. For the purpose of this funding opportunity, a qualified, integrated perinatal care collaborative is a select grouping of service organizations focused on working together to optimize the effectiveness of service delivery for pregnant women. A Collaborative as such is not a legal entity, but is distinguished by its members' stated commitment to systematically engage with each other to address specific strategies to improve adverse birth outcomes related to low birth weight.

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# State Grants & Loans

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

Fritz Ohnsorg  
Department of Human Services  
Health Care Administration Division  
P.O. Box 64983  
444 Lafayette Road North, St. Paul, MN 55155  
Phone: (651) 431-5807, Fax: (651) 431-7464  
*fritz.ohnsorg@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, May 22, 2017. 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:  
*<https://mn.gov/dhs/partners-and-providers/grants-rfps/>*

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

## Minnesota Department of Human Services

### Economic Assistance and Employment Supports Division

### Notice of Request for Proposals to provide Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Services to Eligible SNAP E&T participants

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to support SNAP E&T expansion efforts and assist SNAP recipients access benefits, gain the skills needed to obtain gainful employment, and successfully transition off public assistance.

Work is proposed to start July 1, 2017. For more information, or to obtain a copy of the Request for Proposal, contact:

Barb Alt  
MN Department of Human Services  
444 Lafayette Road North  
PO Box 64962  
St. Paul, Minnesota 55155  
Phone: (651) 431-3884

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 **3:00 p.m., Central Time, May 22, 2017. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
*[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)*

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

# State Grants & Loans

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## Department of Transportation

### Office of Transit

#### Notice of Intent to Conduct an Annual Intercity Bus Industry Consultation and Application Solicitation

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Transportation (MnDOT) Office of Transit will conduct an Annual Industry Consultation and application workshop in support of the Minnesota Intercity Bus Program on May 10, 2017 from 1:00 to 4:30 p.m. at the MnDOT Central Office, 395 John Ireland Boulevard, Saint Paul, Minnesota.

The industry consultation is the primary opportunity for potential applicants and other interested parties to learn more about the program and provide input on issues affecting the industry. At a minimum, the consultation will involve discussion of the following topics:

- 1) An overview of the upcoming intercity bus funding application, to be awarded for calendar year 2018 in August 2017.
- 2) The May 10, 2017 launch of the application solicitation period for calendar year 2018 (prospective grantees may make application for projects spanning from January 1, 2018 through December 31, 2018).
- 3) A discussion of interest in expanding service to new markets via the development of additional ICB feeder networks around the state?

The Office of Transit administers State and Federal funding (including funds provided under 49 USC 5311(f)), to support intercity bus transportation services to non-urbanized communities of Minnesota. Public, private, and non-profit entities are eligible to apply for operating, capital, and marketing assistance.

We would like interested parties to RSVP at least one week prior to the consultation meeting (by May 3). An application workshop will also be held on May 10 following the industry consultation. A teleconference option will be offered for those who are unable to attend in person. To RSVP or to submit written questions or comments, please contact Robert Clarksen, Intercity Bus Program Coordinator, at [Robert.Clarksen@state.mn.us](mailto:Robert.Clarksen@state.mn.us). Further information is available at the Intercity Bus program website at <http://www.dot.state.mn.us/transit/grants/5311f/index.html>.

While attendance at the industry consultation is not a requirement for program eligibility, participation is strongly encouraged as this is an opportunity to dialogue with state staff and other members of the intercity transportation industry regarding the intercity passenger transportation network in and beyond Minnesota.

# 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](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

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

## Department of Administration

### Notice of Request for Proposals for Contract(s) for Prescription Filling and Contracted Pharmacy Services

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for Prescription Filling and Contracted Pharmacy Services. MMCAP is a government-run healthcare product and service group purchasing organization serving governmental entities. For more information, go to [www.mmcap.org](http://www.mmcap.org).

To request a copy of the RFP go to <http://www.mmd.admin.state.mn.us/process/admin/postings.asp>

Questions may be addressed to [MMCAP.RFP@state.mn.us](mailto:MMCAP.RFP@state.mn.us)

Proposals submitted in response to the Request for Proposals in this notice must be received at the address specified in the Request for Proposals no later than **June 26, 2017**. Late proposals will not be considered.

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Employment and Economic Development (DEED)

### State Services for the Blind (SSB)

#### Notice of Contract

The Minnesota Department of Employment and Economic Development (DEED), State Services for the Blind (SSB), requests applications to provide adjustment to blindness, job-related, Tactile American Sign Language, keyboard training and other rehabilitation services to applicants and eligible blind, visually impaired and deafblind consumers.

It is the goal of this project that Minnesota consumers have available to them community resources that DEED will purchase on their behalf so that they may achieve vocational and personal independence. An important aspect of this project is that the pool of resources is sufficient to offer consumers a breadth of choices from which to make their informed selection.

For more information, access the SSB Information for our Vendors webpage under the "Documents" tab.

#### Application Deadline

This is an ongoing solicitation process, with no deadline. It will be posted 21 days before contracts can be awarded. The length of such contract will be five years. Mail application via U.S. Postal Service or another delivery service; or scan the signed application packet into a PDF document and email it; or hand-deliver it.

# State Contracts

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Send applications to:

Jennifer Beilke  
State Services for the Blind  
2200 University Ave. West #240  
St. Paul, MN 55114  
*Jennifer.Beilke@state.mn.us*

**Contact Information:** 651-539-2273

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

## Department of Employment and Economic Development (DEED)

### Vocational Rehabilitation Services

#### Notice of Contract

Here is the Notice of Contract, and a link to the Request for Proposal (RFP)—also called a Request for Application to Vend Services to VRS for this professional/technical (PT) master contract services solicitation. Initial Applications are due by May 30, 2017. This is an ongoing solicitation process.

#### Notice of Contract

The Minnesota Department of Employment and Economic Development (DEED), Vocational Rehabilitation Services, requests applications to provide vocational rehabilitation services, including job placement and retention services under a performance based agreement, employee development services, employment supports/job coaching for short term job supports, informational interviews for transition aged youth – Pre-ETS, job seeking skills training, one the job evaluations, rehabilitation (assistive) technology and training, skill training/occupational vocational training, and work/vocational evaluations and other vocational services to individuals eligible with a disability.

It is the goal of Vocational Rehabilitation Services that individuals with a disability living in Minnesota have available to them community resources that DEED will purchase on their behalf so that they may achieve vocational and personal independence. An important aspect of our goal is that the pool of resources is sufficient to offer individuals a breadth of choices from which to make their informed selection.

For more information, access the Vocational Rehabilitation Services Community Partners webpage under the "FORMS" tab.

#### Request for Proposal

- Download the Application for Vend Services to VRS Consumers, instructions and sample P/T contract.  
<https://mn.gov/deed/job-seekers/disabilities/partners/>

#### Application Deadline

Initial applications are due by **May 30, 2017**. Mail application via U.S. Postal Service or another delivery service; or scan the signed application packet into a PDF document and email it; or hand-deliver it.

Send applications to:

Anne M. Paulson  
Vocational Rehabilitation Services  
332 Minnesota Street Suite E200  
St. Paul, MN 55101  
*Anne.Paulson@state.mn.us*  
651-259-3157

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](mailto: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.

# State Contracts

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## 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](http://www.dot.state.mn.us/consult)

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

# 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/>.

## Agricultural Utilization Research Institute Third Amended And Restated Bylaws

### Article I NAME

Section 1.1 Name. The name of the corporation shall be Agricultural Utilization Research Institute, Inc., a nonprofit Minnesota Corporation.

Section 1.2 Abbreviations. Whenever it is desirable to abbreviate the name of the Agricultural Utilization Research Institute, Inc. the initials "AURI" shall be considered in every way the equivalent of the legal name of Agricultural Utilization Research Institute, Inc.

### Article II PURPOSE

Section 2.1 Purpose Defined. The purpose of the Corporation shall be as provided in Article Two of the Articles of Incorporation for the Corporation, as such may be amended or restated from time to time.

### Article III OFFICES

Section 3.1 Registered Office. The registered office of the Corporation shall be located in the city of Crookston, Minnesota. The registered office shall be at 510 County Road 71, Suite 120, Crookston, Minnesota 56716. The Board of Directors may, from time to time, change the location of the registered office. On or before the day that such change is to become effective, a certificate of such change and of the location of the new registered office shall be filed with the Secretary of State of the State of Minnesota.

### Article IV BOARD OF DIRECTORS & COMMITTEES

Section 4.1 Number, Composition, & Term for the Board of Directors.

(a) Number and Composition of Directors. The number and composition of the Board of Directors of the Corporation shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time.

(b) Terms of Directors. The length of each Directors term and the number of terms each Director may serve shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time. All Directors shall serve until their successors are elected or appointed.

(c) Alternates. Directors representing a statewide farm organization, agribusiness, and commodity promotion councils may designate an alternate from the same organization to represent him/her at meetings of the Board of Directors

# Non-State Public Bids, Contracts & Grants ---

in the event that the Director is unable to attend. Such alternates may be designated as permanent alternates by due notice provided in writing to the Secretary-Treasurer or as temporary alternates with notice provided to the Secretary-Treasurer at least 24 hours in advance of the meeting. Alternates designated as permanent shall receive the regular notification and materials for Board of Directors meetings. Alternates having proper credentials at the beginning of a meeting, as determined by the Secretary-Treasurer, may be seated and entitled to full participation at that meeting, including voting on such matters as may come before the Directors at that meeting.

Section 4.2 Nomination and Election of Directors. The Chair shall appoint a Nominating Committee, which will recommend one name for each seat on the Board of Directors, other than the statewide farm organizations' designees and those seats to be held by the chairs of the senate and the house of representatives standing committees with jurisdiction over agriculture finance, that is or will become vacant, or is filled by a temporary replacement, for election to the Board of Directors at the Annual Meeting. The Nominating Committee shall be appointed at least 60 days prior to the Annual Meeting and shall recommend a candidate for each seat that is or will become vacant, or is filled by temporary replacement, for election as Directors at the Annual Meeting. The Nominating Committee shall provide each qualified candidate's submission information to the Directors at the board meeting prior to the Annual Meeting. The election of Directors to the Board of Directors shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time.

Section 4.3 Vacancies. If the office of any Director or Directors becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, then a successor shall be appointed as follows:

(a) For the chairs of the senate and the house of representative standing committees with jurisdiction over agriculture finance, the successor shall be whomever succeeds such individual as the chair of the respective committee, or their designees;

(b) For the remainder of the Directors, the successor shall be whomever is appointed as a replacement by the entity that the deceased, resigned, retired, disqualified, or removed Director represented.

The Board of Directors may appoint a temporary replacement to fill a vacancy in an unexpired term until a permanent successor can be selected.

Section 4.4 Removal. Any Director, other than the chairs of the senate and the house of representatives standing committees with jurisdiction over agriculture finance, or the chair's designee, may be removed from the Board of Directors upon receipt of written notice of the proposed removal at least seven calendar days prior to the Board of Directors meeting at which the removal action will be considered and upon a majority of the Board of Directors voting in favor of the removal.

Section 4.5 Chair, Vice-Chair & Officers. The Board of Directors may elect a Chair, Vice-Chair, Secretary-Treasurer, and any other Officers necessary for the performance of duties and oversight of the Corporation at the Annual Meeting and shall do so no later than the meeting immediately following the Annual Meeting. The Chair shall, if present, preside at all meetings of the Board of Directors. In the absence of the Chair, the Vice-Chair shall preside. In the absence of the Vice Chair, the Secretary-Treasurer shall preside. In the absence of the Secretary-Treasurer, the longest serving Director shall preside. An Officer shall continue in said office only as long as they are Directors. In the event of a vacancy in an Officer position, the Board of Directors shall elect a replacement from the remaining Directors to fill the unexpired term.

Section 4.6 Voting Rights. Each Director shall have full and equal voting rights and shall exercise one vote. The acts and resolutions of the Board of Directors shall be enacted by affirmative vote of a majority of a quorum of the Directors present at any meeting of the Board of Directors, unless otherwise specified by statute, the Articles of Incorporation or Bylaws for the Corporation, as such may be amended or restated from time to time.

Section 4.7 Management of Corporate Affairs. The business of the Corporation shall be managed by its Board of Directors, which may exercise all powers of the Corporation and do all such lawful acts and things as are not precluded by statute or by the Articles of Incorporation or Bylaws of the Corporation, as such may be amended and restated from time to time.

Section 4.8 Committees. The Board of Directors may establish any of the committees listed in this Section. Directors and the Executive Director may participate in any meeting of any of such committees, but may not vote unless they are a member of such committee. All meetings of the committees must be held in the same manner and in accordance with the same requirements as are imposed on meetings of the Board of Directors.

# **Non-State Public Bids, Contracts & Grants**

(a) Executive Committee. An Executive Committee consisting of the Chair, Vice-Chair, the Secretary-Treasurer and one other member of the Board of Directors appointed by the Board of Directors. The Chair shall be the chairperson of the Executive Committee. All the members must be present for the Executive Committee to take any action. The Executive Committee may adopt rules of procedure. Meetings of the Executive Committee will be held as provided in its rules, upon Board of Directors resolution calling for a meeting, or upon the request of any member of the Executive Committee.

During the intervals between the meetings of the Board of Directors, the Executive Committee will possess and may exercise all the powers of the Board of Directors to direct the business and affairs of the Corporation subject to the following limitations:

- (1) The Executive Committee may not exercise any powers or take any action reserved by resolution of the Board of Directors for action solely by the Board of Directors;
- (2) The Executive Committee may not authorize the spending of funds or the incurring of any obligations which exceeds any expenditure limitations established by resolution of the Board of Directors unless the Executive Committee determines that an emergency exists requiring its immediate action;
- (3) The Executive Committee may not amend the Articles of Incorporation or Bylaws or the Corporation, or any amendments or restatements thereof;
- (4) The Executive Committee may not approve an agreement of merger or consolidation, the dissolution of the Corporation or the sale, lease, or exchange of all or substantially all of the Corporation's property; and
- (5) The Executive Committee may not take any action affecting the position or authority of the Officers appointed by the Board of Directors.

All actions by the Executive Committee shall be reported to the Board of Directors at its meeting that next occurs after such action, and shall be subject to revision and alteration by the Board of Directors, provided no vested rights of third parties shall be affected by such revision or alteration.

(b) Committee on Finance and Audit. A standing Finance and Audit Committee, which shall report at least annually to the Board of Directors on the financial affairs of the Corporation. The Chair shall appoint a chairperson for the Finance and Audit Committee from its members.

(c) Other Committees. Any other committee that the Board of Directors deems appropriate and necessary. Each such committee shall consist of at least one Director and such other members as the Board of Directors shall establish and appoint. Any such committee shall perform the function assigned it in the resolution establishing said committee, but no such committee shall be granted any power or authority exceeding that to be granted to the Executive Committee in Section 4.8 (a). The Chair shall appoint the chairpersons for each committee from its members.

Section 4.9 Committee Conduct. The activity of all committees of this Corporation shall be conducted in such manner as will advance the best interests of the Corporation. The rules of procedure and all other regulations of each committee shall be consistent with the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, and policies of the Corporation. Except as otherwise provided in the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, committee members need not be members of the Board of Directors.

Section 4.10 Compensation of Directors. Directors may receive per diem compensation for their official duties as Directors, including service upon committees created by the Board of Directors, and may be reimbursed for expenses they incur as a result of attending Board of Directors or committee meetings. Such compensation and expense reimbursement shall be provided in accordance with policies adopted by resolution of the Board of Directors, provided, however, such compensation shall not be contrary to any limitations or requirements imposed by statute. Membership on the Board of Directors or any committee of the Corporation shall not preclude such Directors from serving the Corporation in any other capacity and receiving fair compensation therefore.

Section 4.11 Proxies. A Director or alternate shall not appoint a proxy for himself/herself or vote by proxy.

# Non-State Public Bids, Contracts & Grants ---

## Article V BOARD MEETINGS

Section 5.1 Annual Meeting. The Board of Directors shall hold an Annual Meeting in January of each year. At the annual meeting the Board of Directors shall (i) hold an election for those seats on the Board of Directors that are vacant or will become vacant at the end of the annual meeting, or are filled by temporary replacements, (ii) appoint members of the Advisory Board if the Board of Directors has created such a board, (iii) review the accomplishments of the Corporation that occurred since the last Annual Meeting, and (iv) transact such other business as may come before the Board of Directors at such meeting.

Section 5.2 Regular Meetings. The Board of Directors shall, by resolution, hold at least one additional meeting, other than the Annual Meeting, each year and may establish regular periodic meetings at such time and place as provided for in the resolution at which meetings any business of the Corporation may be conducted. No notice of regular meetings need be given other than as provided in the resolution establishing said meetings provided that the Secretary-Treasurer shall provide notice to each Director of said regular meeting at least ten (10) days prior thereto.

Section 5.3 Special Meetings. Special meetings of the Board of Directors may be called at the request of three (3) Directors or the Chair on notice of not less than five (5) business days directed to each Director. Business transacted at any special meeting of the Board of Directors shall be limited to the purposes stated in the notice.

Section 5.4 Place of Meetings. The Board of Directors may hold its meetings at such places within the state of Minnesota as the majority of the Board of Directors may from time to time determine.

Section 5.5 Notice of Meetings. The Chair or the Executive Director, as directed by the Board of Directors, shall call the meetings of the Board of Directors by way of notice to each Director not more than thirty (30) days or less than five (5) days prior to such meeting, stating the time and place of the meeting. Notice of all meetings of the Board of Directors must also comply with all requirements contained in Chapter 13D of Minnesota Statutes Section for public meetings and all amendments, substitutions or replacements thereof for as long as such requirements exist, unless the Board of Directors is specifically exempted from such requirements by a specific statutory provision. If allowed by Chapter 13D of the Minnesota Statutes, no notice of the Annual Meeting or other regular meetings need be given other than as provided in the resolution that originally establishes said meetings provided that the Secretary-Treasurer shall provide notice to each Director of said meetings at least ten (10) days prior thereto.

Section 5.6 Quorum. At all meetings of the Board of Directors, there shall be a quorum for the transaction of business if there are at least one - half (1/2) of all Directors present. The act of a majority of the Directors present and voting shall be the act of the Board of Directors, except as may be otherwise specifically provided by statute or the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time. Duly seated alternates shall be counted among the number needed to reach a quorum. If a quorum shall not be present at any meeting of the Board of Directors, the Directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting until a quorum is present. If a quorum is otherwise present, a Director's written vote on an issue shall have the same effect as if the Director had voted in person.

Section 5.7 Attendance at Meetings. Unless otherwise restricted by statute or the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, members of the Board of Directors, or any committee designated by the Board of Directors, may participate in a meeting of the Board of Directors, or any committee, by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and such participation in a meeting shall constitute presence in person at the meeting.

Section 5.8 Minutes. The Board of Directors and each committee created by the Board of Directors shall keep regular minutes of its meetings and each committee shall report the same to the Board of Directors when required.

Section 5.9 Compliance with Open Meeting Requirements. All meetings of the Board of Directors must be held in compliance with the Open Meeting requirements contained in Chapter 13D of the Minnesota Statutes and all amendments, substitutions or replacements thereof for as long as such requirements exist, unless the Board of Directors is specifically exempted from such requirements by a specific statutory provision.

# Non-State Public Bids, Contracts & Grants

## Article VI OFFICERS

Section 6.1 Election, Qualifications. The Officers of the Corporation shall consist of a Chair, Vice-Chair, and Secretary-Treasurer, and other such Officers as the Board of Directors and Executive Director shall determine from time to time. The Officers of the Corporation shall be elected by the Board of Directors no later than the meeting immediately following the Annual Meeting. All of the Officers of the Corporation must be Directors. A vacancy in any office of an Officer occurring by reason of death, disqualification, resignation or removal shall be filled for the unexpired portion of the term by election or appointment of a successor by the affirmative vote of a majority of a quorum of the remaining Directors present at any meeting of the Board of Directors.

Section 6.2 Compensation. The salary, if any, of the Officers shall be fixed by the Board of Directors, but in no event may such salary exceed any limitations contained in any statute.

Section 6.3 Term, Removal and Vacancy. The Officers of the Corporation shall hold office for one (1) year terms or until their successors are elected. Any Officer elected or appointed by the Board of Directors may be removed at any time by the affirmative vote of a majority of the Board of Directors. Any vacancy occurring in any office shall be filled by the Board of Directors.

Section 6.4 Chair. The Chair shall preside at meetings of the Board of Directors.

Section 6.5 Vice Chair. In absence of the Chair, the Vice-Chair shall preside at meetings of the Board of Directors.

Section 6.6 Secretary-Treasurer. The Secretary-Treasurer shall be responsible for maintaining the records and funds of the Corporation. Any duty of the Secretary-Treasurer may be delegated to the Executive Director.

The Secretary-Treasurer's primary duties shall include:

- (a) Attending all meetings of the Board of Directors and recording all proceedings;
- (b) Exercising the care and custody of the Corporation's funds and securities, keeping full and accurate accounts of receipts and disbursements in books belonging to the Corporation and depositing all monies and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors.
- (c) Rendering to the Board of Directors at its Annual Meeting or when the Board of Directors so require an account of all transactions and of the financial condition of the Corporation. If required by the Board of Directors, the Secretary-Treasurer and staff assistant shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of duties of his/her office and for the restoration to the Corporation, in case of his/her death, resignation, retirement, or removal from office, of all books, papers, vouchers, money, and other property of whatever kind in his/her possession under his/her control belonging to the Corporation.

Section 6.7 Executive Director. The Executive Director shall be the chief executive and operating officer of the Corporation and shall be hired by the Board of Directors as an at will employee, subject to discharge by the Board of Directors. Subject to the provisions of these Amended and Restated Bylaws and the direction of the Board of Directors, the Executive Director shall have ultimate authority for decisions relating to the general management and control of the business and affairs of the Corporation. The Executive Director shall see that all orders and resolutions of the Board of Directors are carried into effect.

In addition, the Executive Director shall be responsible for:

- (a) Directing and administering the affairs of the Corporation in accordance with the policies of the Board of Directors;
- (b) Setting compensation, hiring and discharging of all employees within the limits and policies established by the Board of Directors;
- (c) Having responsibility to prepare, submit and maintain the records of the Corporation, and for submitting information and reports to the Board of Directors as required thereby;

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- (d) Initiating, managing and promoting programs which serve and advance the purposes of the Corporation;
- (e) Coordinating, assisting, and monitoring all committees established by the Board of Directors and their programs;
- (f) Directing all the Corporation administrative functions;
- (g) Submitting budgets as required by the Board of Directors, together with supporting documentation;
- (h) Creating and updating, when necessary, employee job descriptions and requiring individual annual interviews with each employee;
- (i) Subject to such limitations as the Board of Directors may provide, executing contracts of the Corporation, except where required by law to be otherwise signed or executed;
- (j) Preparing and filing such reports of the Corporation as may be required by applicable law, including returns and reports required in the Internal Revenue Code, applicable state tax law and applicable state laws regulating charitable organizations and their solicitation of contributions;
- (k) Performing such other duties as may be assigned by the Board of Directors pertaining to the function of the Corporation; and
- (l) Reporting, from time to time, to the Board of Directors on matters within his or her knowledge that may be of interest to the Board of Directors.

Section 6.8 Execution of Instruments. All deeds, bonds, mortgages, notes, contracts, and other instruments requiring execution by the Corporation shall be executed on behalf of the Corporation by the Chair, except where the execution and attestation thereof shall be delegated to the Executive Director or some other named individual. All expenditures of \$25,000 or more must be approved by the Board of Directors in accordance with state statutes. When authorized by the Board of Directors or the Executive Director, the signature of any Officer or agent of the Corporation may be a facsimile.

Section 6.9 Management and Administrative Employees. The Corporation may have such other management and administrative employees as from time to time determined necessary by the Executive Director. All the Corporation employees shall be appointed in a manner, have duties and responsibilities, be compensated as, and hold their positions for the time determined and prescribed by the Executive Director.

Section 6.10 Compensation. The Executive Director shall be paid such reasonable compensation for his/her services rendered to the Corporation in those capacities and be reimbursed for reasonable out-of-pocket expenses, as the Board of Directors from time to time determines to be directly in furtherance of the purposes of, and in the best interest of, provided, however, in no event may such compensation or remuneration exceed any amount that may be imposed by statute.

Section 6.11 Bond. The Board of Directors shall from time to time determine which, if any, of the Officers, agents, or employees of the Corporation shall be bonded and the amount of each bond.

## Article VII **ADVISORY BOARD**

Section 7.1 Creation of an Advisory Board. The Board of Directors may establish an advisory board to be known as the Advisory Board, the purpose of which is to represent and provide the Corporation with assistance and advice regarding the various segments of Minnesota's agricultural industry. The provisions in this Article Seven shall only apply if the Board of Directors establishes an Advisory Board.

Section 7.2 Members of Advisory Board. The Advisory Board is to be constituted in accordance with Minn. Stat. § 116O.09, Subd. 5, as such may subsequently be amended or replaced from time to time, and if such statute is repealed and not replaced, then the Board of Directors may establish the manner in which the Advisory Board will be constituted that will encompass broad representation from the producers, processors, suppliers and organizations that comprise the agricultural industry of the state.

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Section 7.3 Terms. The members of the Advisory Board shall be appointed or elected by the Board of Directors at the Annual Meeting and shall serve terms of one year. Members of the Advisory Committee may be re-elected or reappointed to successive terms. In the event of a vacancy in an unexpired term, a replacement member may be appointed by the Board of Directors to fill the remainder of that term.

Section 7.4 Purpose. The purpose of the Advisory Board is to assess the utilization needs and opportunities for the various segments of the agricultural industry in the state, and to annually develop a utilization program to address those needs and opportunities and provide a list of priorities and suggested research and marketing studies that should be performed by the Corporation. The Advisory Board also provides policy guidance, direction and support in the implementation of the utilization program and in the overall development of the Institute.

Section 7.5 Advisory Board Meetings. The Advisory Board will hold at least two regular meetings, one in the spring and one in the fall. One of these meetings will focus on the development of a Strategic Plan for the Corporation and the other on gathering input from the various segments of Minnesota's agricultural industry on utilization needs and opportunities. Special meetings of the Advisory Board may be called at any time by the Chair.

Section 7.6 Task Forces. The Advisory Board may create Task Forces for the purpose of conducting detailed assessments and development of major utilization opportunities, promising new technologies, key development matters, or cooperative efforts with public, private and non-profit groups. Task Forces shall be chaired by a member of the Advisory Board and must have no less than three (3) members of the Advisory Board on each such group. Other members of Task Forces may be drawn from producer groups, business and industry, research, academia, government and other sectors based upon their expertise, experience or interest in the subjects to be addressed. Task Forces shall be responsible to the Advisory Board and shall provide regular action reports at Advisory Board meetings or more frequently if necessary. Task Forces are intended to be temporary structures and therefore shall automatically terminate at the next meeting of the Advisory Board unless specifically extended by action of the Advisory Board.

Section 7.7 Advisory Board Meetings. Members of the Advisory Board, who are not otherwise members of the Board of Directors, shall be given notice of all meetings of the Board of Directors. Advisory Board members may attend any Board of Directors meeting and may provide input on Board of Directors decisions, but may not vote unless he/she is a Director.

Section 7.8 Compensation of Advisory Board Members. Members of the Advisory Board may not receive compensation, but may be reimbursed for expenses they incur as a result of attending Advisory Board meetings. Such expense reimbursement shall be provided in accordance with policies adopted by resolution of the Board of Directors, but shall not exceed any limitations imposed by statute. Membership on the Advisory Board shall not preclude such members from providing goods or services to the Corporation in any other capacity and receiving compensation therefore.

## Article VIII

### **CESSATION OF OPERATIONS AND DISTRIBUTION OF ASSETS**

Section 8.1 Right to Cease Operations and Distribute Assets. The Board of Directors, by three-fourths (3/4) vote of the entire Board of Directors, may choose at any time to cause the Corporation to cease operations and voluntarily dissolve if such cessation of operation and dissolution is allowed by statute. If any such cessation and distribution is called for, the Board of Directors shall also establish a date for commencement of the distribution procedure.

Section 8.2 Cessation and Distribution. When cessation of operations and distribution of assets has been approved, the Board of Directors shall cause the Corporation to discontinue the regular business activities and operations as soon as practical, and shall liquidate and distribute all of the Corporation's remaining assets to such units or instrumentalities of government or organizations organized and operated exclusively for one or more of the purposes defined in Section 501(c)(3) of the Internal Revenue Code, as amended, as the Board of Directors shall determine.

## Article IX

### **INDEMNITY**

Section 9.1 Indemnity. Each Director, Officer, and employee, past or present, of the Corporation and each person who serves or may have served at the request of the Corporation, as a Director, Officer, or director, officer, or agent of another corporation, partnership, joint venture, trust or other enterprise, and their respective heirs, administrators and executors, shall be

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indemnified by the Corporation in accordance with, and to the fullest extent permitted by, the provisions of the Minnesota Nonprofit Corporation Act as it may from time to time be amended.

Section 9.2 Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director or Officer (and may purchase and maintain insurance on behalf of any person who is or was an employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, or agent of another corporation, partnership, joint venture, trust or other enterprise) against any liability asserted against any such person and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify such person against such liability under the provisions of the Minnesota Nonprofit Corporation Act or of these Amended and Restated Bylaws, as they may from time to time be amended.

## Article X NOTICES

Section 10.1 Notices. Unless otherwise provided by statute or by the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, whenever notice is required to be given to a Director or any other individual or entity it shall not be construed to mean or require personal notice, and such notice may be given by way of (i) mail, (ii) telegram, (iii) telex, (iv) fax, (v) electronic mail, or (vi) other commonly used electronic means, and such notice shall be addressed to such Director or other individual or entity at its street address, telex or fax number, electronic mail address, or other electronic address as has been supplied thereby in writing to the Corporation.

Section 10.2 Waiver. A written waiver of any notice requirement, signed by the person or persons entitled to said notice, whether provided before or after the occurrence of the event for which notice is required, shall be deemed equivalent to and the same effect as if the required notice had been properly and promptly supplied.

## Article XI GENERAL PROVISIONS

Section 11.1 Fiscal Year. The fiscal year of the Corporation shall be July 1 to June 30 of the succeeding year. (*The fiscal year was Oct/Sept from 1989/90 to 2015/16 and Oct/June for 2016/17.*)

Section 11.2 Seal. The Corporation shall not have a corporate seal.

Section 11.3 Securities Owned by the Corporation. Voting securities in any other corporation held by the Corporation shall be voted by the Executive Director, unless the Board of Directors specifically confers authority upon some other person to vote with respect thereto, which may be general or confirmed to specific instances. Any person authorized to vote securities shall have the power to appoint proxies, with general power of substitution.

Section 11.4 Annual Audited Financial Statements. The Board of Directors shall engage a firm of independent certified public accountants and for each fiscal year of the Corporation shall cause such firm to prepare audited financial statements in accordance with generally accepted accounting principals which fairly present the financial condition and the results of operations of the Corporation. A copy of these financial statements shall be provided to each Director.

Section 11.5 Annual Report. The Officers of the Corporation shall annually prepare a report summarizing the activities of the Corporation conducted in the course of its prior fiscal year and distribute the same to each Director.

Section 11.6 Contracts. The Board of Directors may authorize any Officer or agent or of the Corporation to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and any such authority may be general or confined to specific instances.

Section 11.7 Loans and Pledges. No loans shall be contracted nor pledges or guarantees given on behalf of the Corporation unless specifically authorized by the Board of Directors.

Section 11.8 Authorized Signatures. All checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation shall be signed by such person or persons and in such manner as shall be from time to time determined by the Board of Directors or these Amended and Restated Bylaws, as such may be amended or restated from time to time.

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Section 11.9 Deposits. All funds of the Corporation shall be deposited to the credit of the Corporation in such banks, trust companies, or other depositories as the Executive Director or the Board of Directors may designate and shall be disbursed under such general rules and regulations as the Board of Directors shall from time to time determine.

Section 11.10 Books and Records. The Board of Directors shall cause to be kept:

(a) Records of all proceedings of the Board of Directors and all committees established by the Board of Directors;

(b) All of the records and books of account as shall be necessary and appropriate to the conduct of the business of the Corporation.

Section 11.11 Documents Kept at Registered Office. The Board of Directors shall cause to be kept at the registered office of the Corporation originals or copies of:

(a) Records of the proceedings of all committees established by the Board of Directors;

(b) Records of all votes and actions of the Board of Directors;

(c) All financial statements of the Corporation; and

(d) The Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time.

## Article XII

### **AMENDMENT OR RESTATEMENT OF ARTICLES AND BYLAWS**

Section 12.1 Right to Amend. The Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, may only be altered or amended by a majority vote of the entire Board of Directors at any meeting for which notice of such alteration or amendment was contained in the notice for such meeting.

**THE FOREGOING AMENDED AND RESTATED BYLAWS** were adopted by the Board of Directors of the Agricultural Utilization and Research Institute, Inc. by way of a resolution that was unanimously agreed to by the Directors thereof at a meeting of such Board of Directors that was held on the \_\_\_\_ day of December, 2017.

ATTESTED TO BY:

Chair, Board of Directors

Agricultural Utilization Research Institute, Inc.  
December, 2017

Secretary-Treasurer

Agricultural Utilization Research Institute, Inc.  
December, 2017

## **Metropolitan Airports Commission (MAC)**

### **Notice of Call for Bids for 2017 Intelligent Monitoring and Control Systems P9**

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2017 Intelligent Monitoring and Control Systems P9  
**MAC Contract No:** 106-2-816  
**Bids Close At:** 2:00 p.m. on Tuesday, 16 May, 2017

**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 the continuation of a phased program formerly called OABA. This phase generally improves the IMACS user interface, expands the MAC's electric and gas meter monitoring, upgrades existing pneumatic controls at various location to IMACS, expands the MAC's IMACS lighting control, adds remote monitoring to the Terminal 2-Humphrey engine-generator set, upgrades

# Non-State Public Bids, Contracts & Grants

switch position monitoring and MAC feeder metering in North Switch room, extends uninterruptable power supplies (UPS) to existing JACEs, adds IMACS control to existing heating and cooling systems for outside lift station control panels and provides a new IMACS control room for MAC Carpentry. Also included are updates to the 30-right and 30-left lift stations along with the Post Road glycol management station, which will also involve the partial reconstruction of two glycol pump-out manholes to enhance glycol collection operations and allow for installation of monitoring equipment. Installation of interior fencing is also in this project. The project may include replacement of VAV boxes on Concourse F with connections to IMACS.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://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](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 4%.

**Bid Security:** Each Bid Form 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 April 24, 2017, 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 2017 Miscellaneous Construction

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2017 Miscellaneous Construction  
**MAC Contract No.** 106-1-283  
**Bids Close At:** 2:00 PM on May 16, 2017

**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 repair of a retaining wall at the Runway 12R-30L Vehicular Tunnel, and replacement and adjustment of fuel pit covers near Concourse C.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://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](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 9%.

**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.

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**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on May 1, 2017, 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 2017 Campus Fire Protection**

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2017 Campus Fire Protection  
**MAC Contract No:** 106-3-561  
**Bids Close At:** 2:00 p.m. May 16, 2017

**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 scope of work is to upgrade existing fire department connections and wall hydrants to meet code requirements, including consolidation and removal of inaccessible connections. This includes new connections, fire alarm devices, signage, bollards, and striping.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://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](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 2%.

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of 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 May 1, 2017, 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 2017 Concourse A/B PC Air Upgrades**

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2017 Concourse A/B PC Air Upgrades  
**MAC Contract No.** 106-2-842  
**Bids Close At:** 2:00 PM on May 23, 2017

**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 replacement of preconditioned air units and associated power, control, and structural system improvements on existing passenger boarding bridges. Site work includes concrete pavement removal, replacement, and marking.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://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](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp=CODE_RED) and choose this and other topics about which you are interested.

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**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 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 May 1, 2017, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).



## 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](http://www.minnesotasbookstore.com)
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