

Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Tuesday 26 December 2017
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Pages 701 - 722**

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- Withdrawn Rules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. 42 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 27	Tuesday 2 January	Noon Tuesday 26 December	Noon Thursday 21 December
# 28	Monday 8 January	Noon Tuesday 2 January	Noon Thursday 28 December
# 29	Tuesday 16 January	Noon Tuesday 9 January	Noon Thursday 4 January
# 30	Monday 22 January	Noon Tuesday 16 January	Noon Thursday 11 January

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

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Comments on Planned Rules or Rule Amendments. 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, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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.

Minnesota Board of Physical Therapy

Proposed Permanent Rules Relating to Physical Therapy Practice Licensure; Notice of Intent to Adopt without a Public Hearing

Proposed Amendments to Rules Governing Renewal Requirements, Continuing Education, and Continuing Competence for Physical Therapists and Physical Therapist Assistants, Minnesota Rules, Chapter 5601

OAH Docket No. 82-9041-34878

5601.1700 Renewal of Licensure
5601.2100 Continuing Education Requirements
5601.2200 Two-Year Continuing Education Cycle
5601.2300 Categories of Credited Activities
5601.2400 Category 1 Credit
5601.2600 Verification of Compliance
5601.3200 Code of Ethical Practice

Proposed Repeal to Rules Governing Continuing Education for Physical Therapists and Physical Therapist Assistants, Minnesota Rules, Chapter 5601

5601.2200, subp. 2. Two-Year Continuing Education Cycle

Proposed Rules

Introduction. The Minnesota Board of Physical Therapy (“Board”) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until 4:30 p.m. on January 25, 2018.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Erin DeTomaso, Executive Director
Minnesota Board of Physical Therapy
2829 University Avenue, SE, Suite 420
Minneapolis, MN 55414
(612) 627-5406
TTY users may call the Board at 1-800-627-3529
Erin.detomaso@state.mn.us

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions> .]

Subject of Rules and Statutory Authority. The proposed rules are about the renewal of licensure, continuing education requirements, and ethics. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 148.66(1) and 148.74. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on January 25, 2018 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. **Public comments should be submitted electronically at <https://minnesotaoah.granicusideas.com>.** Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on January 25, 2018. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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.

Modifications. The Board may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

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Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

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

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

Date: November 30, 2017

Erin DeTomaso
Executive Director

5601.1700 RENEWAL OF LICENSURE; PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

Subpart 1. Practice requirement; physical therapists and physical therapist assistants. ~~When they renew their licenses~~ Each year upon license renewal in compliance with *Minnesota Statutes*, section 148.73, physical therapists and physical therapist assistants must submit lists of locations or institutions where they have practiced during the past five years. Applicants for licensure who have not ~~practiced the equivalent of eight full weeks engaged in the practice of physical therapy as defined in Minnesota Statutes, section 148.65, subdivision 1, for 320 hours~~ during the past five years are required to achieve a passing score on retaking the licensure examination or complete no less than ~~eight weeks~~ 320 hours of board-approved clinical experience with a broad base of ~~treatment modalities~~ interventions and patient diagnoses. In addition, every two years, the applicant must submit verification of compliance with the continuing education requirements of parts 5601.2100 to 5601.2500. An application submitted after the deadline date must be accompanied by the late fee described in ~~part 5601.3000~~ Minnesota Statutes, section 148.715.

Subp. 2. Jurisprudence continuing education; physical therapists and physical therapist assistants. Beginning January 1, 2019, when a license is renewed each year in compliance with *Minnesota Statutes*, section 148.73, a licensee must complete self-study and take a jurisprudence examination on the Board of Physical Therapy Practice Act, and receive a passing score as established by the board on an open-book examination. The examination may be retaken as many times as is necessary to pass.

5601.2100 CONTINUING EDUCATION REQUIREMENT; PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

Every two years, each physical therapist and physical therapist assistant licensed by the board shall obtain 20 contact hours of continuing education credit as required by parts 5601.2200 to 5601.2600. A minimum of two of the 20 hours of continuing education each cycle shall be on professional ethics directly related to the practice of physical therapy.

5601.2200 TWO-YEAR CONTINUING EDUCATION CYCLE; PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

Subpart 1. ~~Initial registration or licensure on or after January 1, 1991.~~ For physical therapists initially registered or licensed on or after January 1, 1991, and physical therapist assistants, the first two-year continuing education cycle begins on the January 1 following the date of initial registration or licensure. Future cycles will run consecutively from

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that point. Continuing education courses taken between the date of initial registration or licensure and January 1 of the following year may be credited toward the first cycle.

Subp. 2. [See repealer.]

5601.2300 CATEGORIES OF CREDITED ACTIVITIES FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

Continuing education credit for physical therapists and physical therapist assistants may be obtained from the following activities:

A. Category 1: No less than ten hours of credit must be obtained in a cycle by attendance at educational activities recognized by the board under part 5601.2400. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no less than 15 hours of credit under this item.

B. Category 2: No more than ten hours of credit may be obtained in a cycle through in-service educational activities sponsored by organizations or individuals not designated in Category 1. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no more than 15 hours of credit under this item.

C. Category 3: No more than four hours of credit may be obtained in a cycle through teaching, lecturing, or similar presentation programs. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no more than six hours of credit under this item.

A. Scholarship. Up to nine total hours may be earned by a physical therapist or physical therapist assistant for any combination of the following activities:

(1) authoring a book, chapter, or article directly relating to the practice of physical therapy. The publication must be peer-reviewed; and

(2) preparing and presenting a scientific poster, directly related to the practice of physical therapy. The poster must be peer-reviewed and continuing education hours may be earned only for the first time the licensee presents the poster.

B. Education and teaching. Up to nine total hours may be earned by a physical therapist or physical therapist assistant for any combination of the following activities:

(1) developing and teaching an academic course in physical therapy at an institution accredited by a regional accrediting association. Continuing education hours may be earned only for the first time the licensee teaches the course. For purposes of this subitem, an updated course is considered a new course if 51 percent of the content has been changed;

(2) serving as a guest lecturer for an academic course in physical therapy at an institution accredited by a regional accrediting association. Continuing education hours may be earned only for the first time the licensee teaches the course. For purposes of this subitem, an updated course is considered a new course if 51 percent of the content has been changed. The licensee may claim up to two hours of credit for preparation per one hour of presentation claimed;

(3) developing and presenting a course for a workshop or seminar approved under part 5601.2400. Continuing education hours may be earned only for development for the licensee's first presentation on the subject developed. For purposes of this subitem, an updated course is considered a new course if 51 percent of the content has been changed. The licensee may claim up to two hours of credit for preparation per one hour of presentation claimed; and

(4) for physical therapists, serving as a mentor for a physical therapy residency or fellowship credentialed by the American Physical Therapy Association (APTA).

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C. Coursework. A maximum of 18 hours may be earned for the following activities:

- (1) for physical therapists and physical therapist assistants, successful completion of an academic course in physical therapy at an institution accredited by a regional accrediting association;
- (2) for physical therapists, completing a physical therapy clinical residency program or fellowship credentialed by the APTA;
- (3) for physical therapists, completion of an APTA American Board of Physical Therapy Specialties (ABPTS) certification;
- (4) for physical therapist assistants, completion of an APTA advanced proficiency program certification; and
- (5) for physical therapists and physical therapist assistants, attendance at workshops, seminars, or conferences approved under part 5601.2400.

D. Self-assessment. A maximum of three hours may be earned for completion of the Federation of State Boards of Physical Therapy (FSBPT) self-assessment tools or APTA self-assessment tools.

5601.2400 ~~CATEGORY 1~~ CREDIT APPROVAL.

Subpart 1. **Courses.** The board shall automatically grant ~~Category 1~~ continuing education credit meeting the standards of part 5601.2500 for educational activities in items A to C as follows:

- A. any course planned, sponsored, or cosponsored by an accredited university or college, medical school, state or national medical or osteopathic association, or a national medical specialty society;
- B. any course planned, sponsored, or cosponsored by the American Physical Therapy Association or other national or state physical therapy association; and
- C. ~~any course planned, sponsored, or cosponsored by the Arthritis Foundation, American Heart Association, or other national or state health organization approved by the Federation of State Boards of Physical Therapy (FSBPT) for the credit hours awarded by FSBPT.~~

Subp. 2. **Other educational activity.** Any educational activity not included under subpart 1 that meets the standards of part 5601.2500 shall be approved for ~~Category 1~~ continuing education credit by the board.

An individual or organization seeking board approval of an educational activity for ~~Category 1~~ continuing education credit as provided under this subpart shall provide to the board documents describing the name and address of the organization sponsoring the activity, the name and address of the facility at which the activity will be presented, the name and credentials of each instructor or person making a presentation, and the course content in detail, including a time schedule for the activity.

5601.2600 VERIFICATION OF COMPLIANCE; PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

At the ~~January~~ license renewal immediately following ~~their the~~ physical therapist and physical therapist assistant two-year continuing education cycle, licensees shall ~~provide a signed statement to the board on a form provided by the board indicating attest to~~ compliance with parts 5601.2100 to 5601.2500. ~~The board shall also accept certification of other state regulatory agencies whose continuing education requirements are equal to or greater than those in parts 5601.2100 to 5601.2500.~~

Periodically, the board shall select a sample of the licensed physical therapists and physical therapist assistants and request evidence of the continuing education to which they attested. The board may request evidence of continuing education for up to two consecutive compliance periods. The compliance period or periods for which the board requests

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evidence of continuing education must be those immediately preceding the current compliance period. Documentation may come directly from the licensee or from state or national organizations that maintain those types of records.

A licensee failing to submit a statement or who submits a statement that, on its face, indicates noncompliance with parts 5601.2100 to 5601.2500 may be subject to the disciplinary provisions in part 5601.2700.

5601.3200 CODE OF ETHICAL PRACTICE; PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS.

Subpart 1. **Scope.** Unless otherwise specified, the code of ethical practice for licensees and applicants constitutes the code of ethics required by Minnesota Statutes, section 148.66, clause (7).

Subp. 2. **Prohibited activities.** Violation of the conduct rules in items A to E is prohibited and is grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~ (6).

A. Physical therapists and physical therapist assistants shall not engage in conduct that constitutes harassment or abuse of, or unlawful discrimination against, patients.

B. Information relating to the physical therapist-patient and physical therapist assistant-patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient or patient's representative, or unless otherwise allowed by law. Information must be disclosed when required by law for the protection of the patient or the public.

C. Physical therapists and physical therapist assistants shall not engage in any sexual relationship or activity with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a physical therapist-patient or physical therapist assistant-patient relationship exists. A physical therapist or physical therapist assistant shall not exploit the ~~physical~~ therapist-patient relationship for sexual purposes, and termination of the ~~physical~~ therapist-patient relationship is not a defense to exploitation involving sexual misconduct.

D. A physical therapist, unless otherwise allowed by law, shall not provide patient care without disclosing benefits and substantial risks, if any, of the recommended examination, intervention, and the alternatives to the patient or patient's legal representative.

E. A physical therapist or physical therapist assistant shall not provide care to patients when impaired by illness, chemical use, or chemical dependency that affects the ~~physical therapist's~~ licensee's ability to practice with reasonable skill and safety.

Subp. 3. **Reporting requirements.** A physical therapist or physical therapist assistant shall self report to the board within 30 days:

A. any personal actions which may be grounds for disciplinary actions in Minnesota Statutes, sections 148.75 and 148.76;

B. impairment by illness, chemical use, or chemical dependency that affects the practitioner's ability to practice with reasonable skill and safety; a report of the impairment to the health professional services program satisfies this reporting obligation;

C. conviction of a misdemeanor, gross misdemeanor, or felony relating to patient care; and

D. the termination, revocation, or suspension of membership by a state or national physical therapy professional association.

Failure to comply with items A to D is ~~considered conduct detrimental to the best interests of the public~~ constitutes

Proposed Rules

failure to conform to minimum standards of acceptable and prevailing practice and grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~ (6).

Subp. 4. **Cooperation.** A physical therapist or physical therapist assistant shall cooperate with an investigation of the board. Failure to cooperate is conduct detrimental to the best interest of the public and grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~ (6). Cooperation includes responding fully and promptly to any question raised by the board and providing copies of the medical records and other documents requested by the board.

Subp. 5. **Ethical integrity.** Physical therapist and physical therapist assistant licensees and applicants shall use the principles in items A to H as ~~nonbinding~~ guidelines for promoting ethical integrity and professionalism.

A. A physical therapist or physical therapist assistant shall respect the rights and dignity of all patients and provide compassionate care as described in subitems (1) and (2).

(1) A physical therapist or physical therapist assistant shall recognize individual differences with patients and shall respect and be responsive to those differences.

(2) A physical therapist or physical therapist assistant shall be guided by concern for the physical, psychological, and socioeconomic welfare of patients.

B. A physical therapist or physical therapist assistant shall exercise sound judgment and act in a trustworthy manner toward patients and in all other aspects of physical therapy practice. Regardless of practice setting, physical therapists and physical therapist assistants shall maintain the ability to make independent judgments. A physical therapist or physical therapist assistant shall strive to effect changes that benefit patients.

C. A physical therapist or physical therapist assistant shall maintain professional competence and promote high standards for physical therapy practice, education, and research. Physical therapists and physical therapist assistants shall participate in educational activities that enhance their basic knowledge and provide new knowledge.

D. A physical therapist or physical therapist assistant shall seek only such remuneration as is deserved and reasonable for physical therapy services performed and shall never place the therapist's own financial interest above the welfare of patients under the therapist's care.

E. A physical therapist or physical therapist assistant shall endeavor to address the health needs of society.

F. A physical therapist or physical therapist assistant shall respect the rights, knowledge, and skills of colleagues and other health care professionals.

G. A physical therapist or physical therapist assistant shall safeguard the public from underutilization or overutilization of physical therapy services.

H. A physical therapist or physical therapist assistant shall provide and make available accurate and relevant information to patients about their care and to the public about physical therapy services.

Subp. 6. **Aid to interpretation.** The American Physical Therapy Association (APTA) Code of Ethics for the Physical Therapist and Standards of Ethical Conduct for the Physical Therapist Assistant and APTA Guide for Professional Conduct and Guide for Conduct of the Physical Therapist Assistant shall be used as aids in resolving any ambiguity that may arise in the interpretation of this part. However, in a conflict between this part and the APTA Code of Ethics for the Physical Therapist and Standards of Ethical Conduct for the Physical Therapist Assistant, and Guide for Professional Conduct and Guide for Conduct of the Physical Therapist Assistant, this part shall prevail.

Subp. 6a. **Incorporations by reference.** The Code of Ethics for the Physical Therapist and Standards of Ethical Conduct for the Physical Therapist Assistant published by the American Physical Therapy Association in ~~July 2000~~ June

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2010, and Guide for Professional Conduct and Guide for Conduct of the Physical Therapist Assistant published by the American Physical Therapy Association in ~~January 2001~~ November 2010, are incorporated by reference, are available at the State Law Library, and are not subject to frequent change.

Subp. 7. **Interpretation.** The conduct rules found under subparts 2, items A to D; 3; and 4, do not represent the exclusive grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~(6), and must not be construed as limiting the grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~(6), for conduct not listed in this part. Violation of the guidelines in subpart 5 is not grounds for disciplinary action under Minnesota Statutes, section 148.75, paragraph (a), clause ~~(5)~~(6).

REPEALER. Minnesota Rules, part 5601.2200, subpart 2, is repealed.

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.

Department of Education

Adopted Expedited Permanent Rules Related to Academic Standards in Physical Education

The rules proposed and published at State Register, Volume 42, Number 12, pages 359-361, September 18, 2017 (42 SR 359); and Volume 42, Number 15, pages 429-430, October 09, 2017 (42 SR 429), are adopted as proposed.

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.

Emergency Medical Services Regulatory Board Notice of Completed Application for Caledonia Ambulance Service

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from **Caledonia Ambulance Service, Caledonia, Minnesota**, for a new license to provide Part-Time Advanced Life Support (ALS).

NOTICE IS HEREBY GIVEN that, pursuant to Minn. Stat 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB **within 30 days or by January 24, 2018, 4:30 p.m.**

Written recommendations or comments opposing the application should be sent to: Tony Spector, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222. If no more than five comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to Minn. Stat. 144E.11, subd 4(a). If more than five comments in opposition to the application are received during the comment period, or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to Minn. Stat. 144E.11, subd. 5(a)(b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing, one will be scheduled and notice of the hearing given pursuant to Minn. Stat. 144E.11, subd. 5(c)-(e).

Date: 12/26/2017

Tony Spector, Executive Director

Minnesota Department of Revenue Sales and Use Tax Division

REQUEST FOR COMMENTS for Possible Amendment to Rules Governing Computer Software, *Minnesota Rules*, 8130.9910; Revisor's ID Number R-04459

Subject of Rules. The Minnesota Department of Revenue requests comments on its possible amendment to rules governing sales and use tax as it applies to sales and purchases of computer software. The Department is considering rule amendments that would update the scope of the computer software rule to better align it with statutory changes made by the Legislature to conform with the Streamlined Sales Tax Agreement, recent court interpretation of those statutory changes, and to update the rule to address technological advancements.

Persons Affected. The amendment to the rules would likely affect retailers and computer software developers given that the rule addresses the taxation of computer software. It will also affect purchasers of computer software and business entities that provide cloud computing services.

Statutory Authority. The Department's statutory authority to adopt these rules is set forth in *Minnesota Statutes*, section 270C.03, which provides that the Commissioner of Revenue has the authority to "administer and enforce the assessment and collection of taxes," and *Minnesota Statutes*, section 270C.06, provides that "the commissioner shall

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from time to time, make publish, and distribute rules for the administration and enforcement of state tax laws. The rules have the force of law.” Under these statutes, the Department has the necessary statutory authority to adopt the proposed amendment to rules.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on **February 26, 2018**. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.

Submit comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions>.

Advisory Committee. The Department plans to appoint an advisory committee of 10 - 12 persons to comment on the possible amendment of the sales and use tax computer software rule. Persons interested in serving on an advisory committee should contact the agency contact (contact information below) by **February 26, 2018**. The Commissioner of Revenue will make the final selection of advisory committee members.

Rules Drafts. The Department does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to:

Margaret Reisdorf
Appeals and Legal Services Division
Minnesota Department of Revenue
600 North Robert Street
Mail Station 2220
St. Paul, MN 55146
(651) 556-4924
Margaret.Reisdorf@state.mn.us

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

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

Dated: December 26, 2017

Cynthia Bauerly, Commissioner
Department of Revenue

State Grants & Loans

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

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

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/>

Department of Human Services

Disability Services Division

Notice of Request for Proposals to Provide Technology-Enhanced Monitoring and Remote Support to People with Disabilities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to conduct a pilot project for home and community-based, technology-enhanced remote support for people with disabilities.

Work is proposed to start April 1, 2018. For more information, or to obtain a copy of the Request for Proposal, contact:

Colin Stemper
Department of Human Services
Disability Services Division
P.O. Box 64967
444 Lafayette Road North, St. Paul, MN 55155 0967
Phone: (651) 431-4300, Fax: (651) 431-7563
Colin.Stemper@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, Friday, February 2, 2018. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:
http://www.dhs.state.mn.us/id_000102

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

State Contracts

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

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

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5,000 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 and Department of Military Affairs Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Renovation of St. Peter Minnesota National Guard Armory (DMA PROJECT NO. 18101) (State Designer Selection Board Project No. 17-09)

The State of Minnesota, acting through The Department of Military Affairs, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click 17-09).

A non-mandatory informational meeting is scheduled for **Thursday, December 28, 2017 at 10:00 a.m. CT at the National Guard Armory, 1120 Swift Street, St. Peter, MN 56082-1887.**

Any questions should be directed to Paul Kempton at paul.e.kempton.nfg@mail.mil. Project questions will be taken by this individual only. Questions regarding this RFP must be received by January 2, 2018, no later than **4:30 p.m.** Central Time.

Proposals must be delivered to Jennifer Barber, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2389) not later than **12:00 noon on Monday, January 8, 2018.** Late responses will not be considered.

The Department of Military Affairs is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Commerce Notice of Contract Opportunity for Appraisal and Auctioneer Services

Notice of Availability of Contract for appraisal and auctioneer services to the Department of Commerce and its Unclaimed Property division.

The Minnesota Department of Commerce is requesting proposals for the purpose of auctioning tangible property from abandoned safe deposit boxes. When safe deposit box contents remain unclaimed, items of commercial value are auctioned according to Department specifications and within statutory requirements.

A Request for Proposals will be available from this office **beginning Wednesday, December 27, 2017** through January 30, 2018. A written request (by e-mail or using the website link) is required to receive the Request for Proposal.

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

Scott Halvorson
Director of Unclaimed Property
scott.t.halvorson@state.mn.us
Or visit: *<https://mn.gov/commerce/industries/rfp/>*

Other department personnel are NOT allowed to discuss the Request for Proposals with interested parties, including responders.

PROPOSAL DEADLINE: Proposals submitted in response to this advertisement must be received by mail no later than **January 30, 2018**. Late proposals will not be considered. Emailed/Faxed proposals will not be considered.

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

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. 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.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: *www.dot.state.mn.us/consult*

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

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

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2018 Concessions Rebids Phase 1

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Concessions Rebids Phase 1
MAC Contract No: 106-2-850
Bids Close At: 2:00 p.m. on Tuesday, 16 January 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The project consists of Concourse F: Demolition interior restroom. Concourses F, C, and B Food Courts Utilities: Elevctrical/ Data/ Water demo, mechanical rerouting, and install of liquid recycling stations.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; PH: 763.503.3401; FX: 763.503.3409. Make checks payable to: Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 18, 2017, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2018 Electrical Infrastructure Program P10

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Electrical Infrastructure Program P10
MAC Contract No: 106-2-838
Bids Close At: 2:00 p.m. on Tuesday, January 16, 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes: at Terminal 1-Lindbergh, providing grounding system upgrades on C Concourse and performing maintenance on substations PGD-1400, PB-1110, PR1111, HC-0612, LRT-A&B and all associated distribution. At Terminal 2-Humphrey, replacing switchboard HDP-HT2383-1. Other work includes relabeling substation D1026, replacing existing Door signs with new signs in the Green and Gold Parking Ramps as well as providing a new door in Electrical Room PR-1111.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; PH: 763.503.3401; FX: 763.503.3409. Make checks payable to: Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 18, 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 2018 Emergency Power Upgrades P9

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Emergency Power Upgrades P9
MAC Contract No: 106-2-839
Bids Close At: 2:00 p.m. on Tuesday, January 16, 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes replacing (3) ATS's in Terminal 1-Lindbergh, ATS-48, ATS-49 and ATS-50, as well as modifications to the distribution associated with each.

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

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?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 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; PH: 763.503.3401; FX: 763.503.3409; Make checks payable to: Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 18, 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 2018 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement
MAC Contract No. 106-2-841
Bids Close At: 2:00 PM on January 16, 2018

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 two (2) passenger boarding bridges, new boarding bridge fixed walkways, and all associated controls, equipment, accessories, and foundations.

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

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

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

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.

— Non-State Public Bids, Contracts & Grants

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 18, 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 2018 DHL Air Freight Facility Expansion

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 DHL Air Freight Facility Expansion
MAC Contract No.: 106-5-055
Bids Close At: 2:00 p.m. January 23, 2018

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 above, and will be publicly opened and read aloud immediately thereafter. This project includes general, mechanical, and electrical construction.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 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 Miller Dunwiddie; 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 Blvd.; Brooklyn Center, MN 55430; PH: 763-503-3401; FX: 763-503-3409; www.franzrepro.com; Make checks payable to: Miller Dunwiddie; Deposit per set (refundable): \$100.00. 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 December 26, 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 2018 Mezzanine HVAC/AHU Replacement & Penthouse (North)

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Mezzanine HVAC/AHU Replacement & Penthouse (North)
MAC Contract No.: 106-2-833
Bids Close At: 2:00 pm on Tuesday, 23 January 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work of this project includes but is not limited to building a new mechanical penthouse on an existing roof.

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

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

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

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

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; PH: 763.503.3401. 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 December 26, 2017, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).



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