

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 15 October 2018
Volume 43, Number 16
Pages 447 - 456**

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- Withdrawn Rules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. 43 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)
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# 17	Monday 22 October	Noon Tuesday 16 October	Noon Thursday 11 October
# 18	Monday 29 October	Noon Tuesday 23 October	Noon Thursday 18 October
# 19	Monday 5 November	Noon Tuesday 30 October	Noon Thursday 25 October
# 20	Tuesday 13 November	Noon Tuesday 6 November	Noon Thursday 1 November

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit **ELECTRONICALLY in Microsoft WORD**, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$16 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$96. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor with questions (651) 201-3204, or **e-mail**: sean.plemmons@state.mn.us.

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SEE THE Minnesota State Register free at website: <http://www.mn.gov/admin/bookstore>

- **Minnesota State Register: On-line subscription** – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: Minnesota State Register \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.
- **Research Services** - will look up, photocopy, and fax or send copies from past issues at \$1.00 per page.

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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

Minnesota Rules: Amendments and Additions450	Minnesota State Colleges and Universities (Minnesota State)/ Department of Administration Notice of Availability of Request for Proposal (RFP) for Designer Selection for: CENTURY COLLEGE-18-APPLIED TECHNOLOGY CENTER CONSTRUCTION (State Designer Selection Board Project No. 18-10) 454
Official Notices Minnesota Rural Finance Authority Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under Minnesota Statutes, Chapter 41C..... 451	Minnesota Department of Health (MDH) Notice of Contract Opportunity for Accreditation for ISO/IEC 17025:2017 454
State Grants & Loans Department of Employment and Economic Development (DEED) Notice of Grant Opportunity..... 451	Minnesota Department of Health (MDH) Health Care Homes Program Request for Proposal for Health Care Homes Program Evaluation Plan..... 455
Department of Labor and Industry (DLI) Workplace Safety Consultation Unit Notice of Safety Grants for Employers..... 452	Department of Public Safety Office of State Safety Oversight Request for Proposals for Rail Fixed Guideway Systems Consulting Services..... 455
State Contracts Minnesota State Colleges and Universities (Minnesota State) Dakota County Technical College Notice of Request for Proposals for Venue for the Aviation Maintenance Technician Annual Conference 453	Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting 456
	Non-State Public Bids, Contracts & Grants Regenerative Medicine Minnesota Grant Opportunity Announcement..... 456

Get the Earliest Delivery of the State Register

A subscription to the **STATE REGISTER** gets you the **EARLIEST DELIVERY**. Instead of waiting until Monday at 8:00 a.m. when the magazine is posted on our website, we'll **SEND** you the magazine on Friday at close of business with the State, 4:30 pm: 2-1/2 days early.

Yes, that's right -- 2-1/2 days ahead of normal publication schedule -- to get to know what's coming in the next week; to prepare your plans for your submissions to grant and loan programs and RFPs, RFIs and other contracts and bids.

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Subscriptions include the most up-to-date information, including a growing index to issues in each volume, issue by issue, including the current volume, which others do not have access to until the end of the volume year.

And a subscription gets you our Current Listing of All OPEN bids, contracts, grants, loans, and RFPs that are still open for bid, so you don't have to hunt through each back issue to find something.

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 43 - Minnesota Rules
 (Rules Appearing in Vol. 42 Issues #27-52 are
 in Vol 42, #52 - Monday 25 June 2018)
Volume 43, #16

Monday 2 July - Monday 15 October

Office of Administrative Hearings	
1420.1850(proposed)	177
Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design	
1800 (adopted).....	89
Board of Cosmetology	
2105; 2110 (adopted).....	347
Board of Dentistry	
3100.1160; .3600; .8500; .8700; .9600 (proposed).....	197
Department of Employment and Economic Development (DEED)	
3300.6000 – 3300.6070 (proposed).....	315
Environmental Quality Board	
4410.2550 (adopted).....	162
Department of Health	
4717.7860 (adopted).....	262
4626 (adopted).....	295
Office of Higher Education	
4830.0150; 4850.0011; .0012; .0013; .0017 (proposed).....	207
Department of Labor and Industry	
5220.1900 (adopted).....	361
5219.0500; 5221.4020(Exempt).....	384

Department of Natural Resources	
6232.0200; .0300; .0400; .0800; .0900; .1000; .1300; .1600; .1750; .1800; .1970; .1980; .2100; .2500; .4700(adopted expedited).....	117
6230.0200; .0295; .0400; 6234.0600; .1400; .1700; .2600; 6236.0700 (adopted expedited)	153
6232.2550; .2560 (adopted expedited)	157
6234.0300; 6237.0400; .0550 (adopted expedited).....	160
6266.0400 (expedited emergency).....	381
Board of Optometry	
6500.0100; .2000; .2900; .3000 (adopted).....	5
Secretary of State	
8200.7200 (adopted).....	437
Pollution Control Agency	
7150 (proposed).....	212

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 Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under Minnesota Statutes, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on **November 5, 2018, at 9 A.M.**, Department of Agriculture Building, Agricultural Finance Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under Minnesota Statutes, Chapter 41C, in order to finance the purchase of 75.5 acres of bare land located six miles east of Granite Falls, MN, on 240th Avenue, Section 26, Minnesota Falls Township, Yellow Medicine County, Minnesota on behalf of Chad & Tessa Johnson, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$250,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Supervisor of the Authority prior to the date of the hearing set forth above.

Dated: October 3, 2018

Matt McDevitt
RFA Supervisor

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/>

State Grants & Loans

Department of Labor and Industry (DLI)

Workplace Safety Consultation Unit

Notice of Safety Grants for Employers

The Department of Labor and Industry (DLI) announces continuation of its safety hazard abatement matching grant program under *Minnesota Statutes*, section 79.253, and *Minnesota Rules*, parts 5203.0010 through 5203.0070. Employers covered by workers' compensation insurance, and those approved as self-insured employers, are eligible to apply for safety/health matching grants to abate safety hazards in their workplace. The safety/health hazards must have been identified in an on-site survey conducted by one of the following:

- 1) MNOSHA safety/health investigator,
- 2) DLI Workplace Safety Consultation safety/health consultant,
- 3) in-house employee safety/health committee,
- 4) workers' compensation underwriter,
- 5) private safety/health consultant or
- 6) a person under contract with the Assigned Risk Plan.

The on-site safety/health survey must have resulted in specifically recommended safety and/or health practices or equipment, training for purchased equipment, and/or tuition reimbursement designed to reduce the risk of injury to employees. Costs eligible for program participation are all or part of the cost of purchasing and installing recommended safety/health equipment, training for purchased equipment, tuition reimbursement, the cost of operating or maintaining safety/health equipment, and/or the cost of purchasing or renting real property, if necessary, to meet criteria established by the on-site safety/health survey. Automobiles, weapons, or personnel costs, such as salary and benefits, will not be covered by these grants.

Whether we approve your grant application or not, does not diminish, delay, or absolve you of any obligation to abate hazards as required by law. No state funds will be distributed until all grant documents are signed by all parties and the safety grant project is completed, including payments for all items in the project. Costs incurred before all parties have signed the grant document must not rely on grant approval. Invoices dated prior to your fully executed grant agreement are not eligible for this program.

Grants are limited to a total maximum match of up to \$10,000 per project. The employer must provide at least \$1.00 (one dollar) in project costs for every dollar awarded. No grant will be awarded for more than half the amount of the approved project. Grant applications submitted by the application deadlines of **October 15, 2018, December 15, 2018, February 15, 2019, April 15, 2019, June 15, 2019, August 15, 2019, October 15, 2019, and December 15, 2019**, respectively, will be evaluated and processed so that grant contracts or denial letters will be issued within the two months following each application deadline.

Projects will be judged according to the criteria established by law. Priority will also be given to projects in select areas that are a current focus of Minnesota OSHA. Go on-line at <https://www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-safety-grant-priority-industries> to view the current list of priority industries.

An employer that has received a grant for a particular worksite will not be eligible to receive another grant for that worksite during the two years after the date of the award. All applicable information requested on the grant application form is required for grant approval. Missing information will result in your application being returned to you. Less than the requested amount may be awarded if program resources are insufficient to provide full assistance to all approved applicants and if the reduced grant could still achieve safety objectives.

Applicants can submit a safety grant application using the on-line application form that is accessed at: <https://secure.doli.state.mn.us/grants/>.

Additional information can be found on the Safety Grant Program web-page: <http://www.dli.mn.gov/business/workplace-safety-and-health/mnosha-wsc-safety-grant-program>, or contact the Safety Grants Administrator at: (651) 284-5338, 1-800-731-7232 or e-mail at dli.grants@state.MN.US.

State Contracts

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

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

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

Minnesota State Colleges and Universities (Minnesota State)

Dakota County Technical College

Notice of Request for Proposals for Venue for the Aviation Maintenance Technician Annual Conference

Dakota County Technical College (DCTC) of Rosemount, MN is accepting proposals, including cost estimates for venue selection for the **Aviation Maintenance Technician Annual Conference to be held March 25-26, 2019 in Hennepin County, MN**. The two day conference includes meetings for approximately 600 people, vendor space for approximately 68 vendors. Each day requires a general session room, banquet rooms, registration space, meeting rooms for breakout sessions, limited audio visual equipment and services, space for exhibitors, and catering for all meals and refreshments.

DCTC desires to enter into a contract with the successful vendor effective November 30, 2018.

To receive a complete copy of the bid specifications, please contact Chris Haan by email at: purchasing@dctc.edu
Sealed proposals (fax and email bids will not be accepted) must be delivered no later than **12:00pm CST Friday, October 26, 2018** to:

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

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

State Contracts

Minnesota State Colleges and Universities (Minnesota State)/ Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: CENTURY COLLEGE-18-APPLIED TECHNOLOGY CENTER CONSTRUCTION (State Designer Selection Board Project No. 18-10)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Century College, 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 18-10).

A **mandatory** informational meeting will be held on October 25, 2018 at 2:00pm CT at the Century College, 3300 Century Avenue North, White Bear Lake, MN 55110 – East Campus Cafeteria Conference Room #2555.

Any questions should be directed by email only, to Pat Opatz at Patrick.Opatz@century.edu. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Monday, October 29, 2018 no later than 12:00 PM 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, November 5, 2018**. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Department of Health (MDH)

Notice of Contract Opportunity for Accreditation for ISO/IEC 17025:2017

PROJECT NAME: Accreditation for ISO/IEC 17025:2017

DETAILS: The Minnesota Department of Health is requesting proposals for the purpose of contracting with an Accrediting Body (AB) to implement ISO/IEC 17025:2017 requirements for accreditation as a testing laboratory in environmental and forensics chemistry. In addition, the Department intends to expand its scope of accreditation during the initial or extended contract period to include additional environmental and forensics chemistry analytes and methods. Furthermore, the Department prefers an AB that has the ability in the future to add accreditation for a scope of work that includes the active ingredients in cannabinoid containing products intended for therapeutic use.

Work is anticipated to start after December 1, 2018.

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

Cori Dahle
Environmental Laboratory Operations Supervisor
Minnesota Department of Health
cori.dahle@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than **2:30 p.m. Central Time on November 5, 2018**. **Late proposals will not be**

considered. Fax and email proposals will not be considered.

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

Minnesota Department of Health (MDH) Health Care Homes Program Request for Proposal for Health Care Homes Program Evaluation Plan

The Department of Health (MDH) requests proposals for a program evaluator to design an evaluation plan to assess the impact of certified Health Care Homes clinics across Minnesota. Minnesota's Health Care Homes Program, known nationally as a patient centered medical home, is an approach to primary care in which primary care providers, families and patients work in partnership to improve health outcomes and quality of life for individuals with chronic or complex health conditions. The Health Care Homes (HCH) program is one of the centerpieces of Minnesota's 2008 health reform initiative. Through its focus on redesign of care delivery and meaningful engagement of patients in their care, Health Care Homes is transforming care - and lives - for millions of Minnesotans.

It is the goal of this RFP to contract with a program evaluator to work with the HCH team and its associated evaluation work group and advisory committee to design an evaluation plan to measure how implementing HCH standards for Minnesota's primary care delivery system impacts the quadruple aim; physician and provider burnout / joy in practice; experience of care; quality of care; and value of care.

Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than **4:30 pm CST, November 5, 2018. Late proposals will not be considered.** Email or fax proposals will **not** be considered.

The RFP can be viewed by visiting the Department of Health, Health Care Homes website:
<http://www.health.state.mn.us/healthreform/homes/collaborative/lcrequests.html>

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 Public Safety Office of State Safety Oversight Request for Proposals for Rail Fixed Guideway Systems Consulting Services

The Office of State Safety Oversight, a division of the Department of Public Safety, is requesting proposals from qualified Responders that can provide a variety of research, consulting and auditing services. The contracted services will be in accordance with United States Code, title 49, sections 5329 and 5330, and federal regulations adopted pursuant to those sections; and in compliance with the Federal Transit Administration (FTA) State Safety Oversight Rule [49 Code of Federal Regulations (CFR) Part 674] which requires states to oversee the safety and security of Rail Fixed Guideway Systems utilizing a designated oversight agency.

This solicitation event is being conducted in the SWIFT system. To obtain a copy of the Request for Proposals, log into the Supplier Portal and search for Event ID 2000008777. Details identifying background, goals, sample tasks, proposal submission and other criteria are included in the Request for Proposals. The deadline for submission of a proposal is **4:00 p.m. Central Time on Monday, November 5, 2018.** All expenses incurred in responding to this notice are the sole responsibility of the responder.

For interested parties who are not registered in SWIFT as a vendor, click on
<https://mn.gov/mmb/accounting/swift/vendor-resources/> to access SWIFT Vendor Resources, then click on the "Vendor

State Contracts

Registration” hyperlink to begin the registration process. Please note new registrations may take 3–4 business days. For assistance completing the registration process, please call 651-201-8100, Option 1.

This Request for Proposals does not obligate the State of Minnesota, the Department of Public Safety or the Office of State Safety Oversight to complete the project or issue a contract as contemplated in the RFP; and each reserves the right to cancel this solicitation.

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/>.

Regenerative Medicine Minnesota Grant Opportunity Announcement

The state-funded Regenerative Medicine Minnesota program awards \$4.35 million in grants for scientific and medical research, biobusiness/biotechnology infrastructure, education programs, and patient care that help bring the benefits of regenerative medicine to Minnesotans throughout the state. Research grant RFPs released 9/17/2018; all other RFPs will be released on 1/28/2019. Go to www.RegenMedMN.org/apply-grant for applications and information.

