

# 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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 June 2020**

**Volume 44, Number 51**

**Pages 1487 - 1506**

# 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- Withdrawn Rules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. 44 Issue Number | 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) |
|----------------------|----------------|---|---|
| #52                  | Monday 22 June | Noon Tuesday 16 June  | Noon Thursday 11 June   |
| #53                  | Monday 29 June | Noon Tuesday 23 June  | Noon Thursday 18 June   |
| #1                   | Monday 6 July  | Noon Tuesday 30 June  | Noon Thursday 25 June   |
| #2                   | Monday 13 July | Noon Tuesday 7 July   | Noon Thursday 2 July  |

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## Minnesota Rules: Amendments and Additions.....1490

### Expedited Emergency Rules

#### Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: 2020 Hunting for Waterfowl and Sandhill Crane; Game Refuges; Lac qui Parle WMA; and Feeding and Resting Areas ..... 1491

### Executive Orders

#### Office of the Governor

Emergency Executive Order 20-75: Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01 ..... 1498

### Official Notices

#### Department of Commerce

Notice of Public Hearing for Low Income Home Energy Assistance Program Draft FFY2021 State Plan ..... 1500

#### Minnesota Sentencing Guidelines Commission

Notice of Public Hearing to Consider Amendments to the Sentencing Guidelines and Commentary..... 1501

## State Contracts

### Minnesota State Colleges and Universities (Minnesota State)

Non-Construction Related Bid and Contracting Opportunities ..... 1502

### Bemidji State University and Northwest Technical College

Notice of Request for Proposal (RFP) for Laerdal Simulators, Sim Capture System, Onsite Installation/Integration, and Faculty Education/Training ..... 1502

### Dakota County Technical College

Notice of Request for Proposals for Minnesota State Transportation Center of Excellence Website Contractor and Services ..... 1503

### Lake Superior College

Request for Bid for Automotive Service Tool Sets..... 1503

### Department of Economic Development (DEED)

#### Vocational Rehabilitation Services

Request for Proposals for Career Counseling Information and Referral Services ..... 1504

### Minnesota Department of Transportation (MnDOT)

#### Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting..... 1504

## Non-State Public Bids, Contracts & Grants

### Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2020 Inbound Roadway Reconstruction..... 1505



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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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. 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 44 - Minnesota Rules

(Rules Appearing in Vol. 44 Issues #1-26 are in Vol. 44, #26 - Monday 23 December 2019)

### Volume 44, #51

#### Monday 30 December - Monday 15 June

##### Board of Accountancy

1105.1100; .1800; .2000; .3700; .4000 (adopted)..... 763

##### Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

1800.2500; .3505; .3910 (adopted)..... 987

##### Board of Cosmetology

2105.0215; .0360 (adopted)..... 941

##### Department of Education

3501.0820 (proposed)..... 797

##### Board of Electricity

1315.0200 (proposed)..... 1021

##### Department of Health

4654.0800 (proposed expedited)..... 801

4720.0030 (adopted)..... 483, 1026

##### Department of Labor and Industry

1323.0402 (adopted)..... 763

1309.0303; .0310; .0602 (adopted)..... 764

1307 (proposed)..... 821

5208.1500 (adopted exempt)..... 664, 865

5205.0010 (proposed exempt)..... 1024

1346.0401; .0403; .0508 (adopted)..... 1085

5221.6700 (expedited)..... 1266

##### Lottery

7856.4030 (adopted)..... 827

##### Department of Natural Resources

6240.0600 (expedited emergency)..... 899

6230; 6236; 6240 (expedited emergency)..... 900

6264.0300; .0400 (adopted exempt)..... 933

6232.4800 (expedited emergency)..... 939

6266.0500 (adopted expedited)..... 327, 941

6264.0050 (adopted expedited)..... 1153

6264.0400 (adopted expedited)..... 1261

6232.2800; .3000; .3100; .3200; .3300 (expedited emergency)..... 1343

6232.4300; .4400; .4500 (expedited emergency)..... 1413

6230.0100; .0400; .0600; .0700; 6234.0800; 6240.0100; .0200; .0250;

.0610; .1850; .2000 (expedited emergency)..... 1491

##### Board of Podiatric Medicine

6900.0010; .0160; .0210; .0300 (proposed repeal)..... 825

##### Pollution Control Agency

7005.0100 (adopted)..... 1026

7050.0420 (adopted)..... 1416

##### Racing Commission

7870; 7877; 7879; 7897 (adopted)..... 725, 1026

7869; 7876; 7877; 7883; 7884; 7890; 7891; 7892;

7897 (adopted)..... 741, 1047

##### Department of Revenue

8121.0300; .0400; .0500 (adopted exempt)..... 760

8106.0700; .0800 (adopted exempt)..... 957

1950.1020; .1030; .1035; .1040; .1050; .1060; .1080 (proposed).. 1079

##### Board of School Administrators

3512 (adopted)..... 1385

# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

**Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2020 Hunting for Waterfowl and Sandhill Crane; Game Refuges; Lac qui Parle WMA; and Feeding and Resting Areas

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 97A.091, subdivision 2; 97A.092; 97A.137, subdivision 2; 97A.401, subdivision 5; 97B.105; 97B.112; and 97B.731, subdivision 1(b).

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459: Waterfowl hunting season dates are based on annual determinations of season timing and selection of options as allowed under federal frameworks for migratory bird hunting. Provisions for taking waterfowl on refuges are based on annual population data that show the harvestable surplus of species and selection of options as allowed under annual federal frameworks for migratory bird hunting.

Dated: May 26, 2020

Sarah Strommen  
Commissioner of Natural Resources

#### 6230.0100 DEFINITIONS.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 1a. **Early goose season.** "Early goose season" has the meaning given in part 6240.0100, subpart 1a.

*[For text of subparts 2 and 3, see Minnesota Rules]*

#### 6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

*[For text of item A, see State Register, volume 44, page 107]*

B. ~~Canada~~ goose hunting during the early goose season, except on Lake Bemidji, the Mississippi River, and Stump Lake;

*[For text of items C and D, see Minnesota Rules]*

*[For text of subparts 3 and 4, see Minnesota Rules]*

# Expedited Emergency Rules

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Subp. 5. **Clay County Game Refuge, Clay County.** The Clay County Game Refuge in Clay County is open to:

*[For text of item A, see State Register, volume 44, page 107]*

*[For text of items B and C, see Minnesota Rules]*

D. ~~Canada~~ goose hunting during the early goose season.

*[For text of subpart 6, see Minnesota Rules]*

*[For text of subpart 7, see State Register, volume 44, page 900]*

*[For text of subparts 8 to 10, see Minnesota Rules]*

Subp. 11. **Evansville Game Refuge, Douglas County.** The Evansville Game Refuge in Douglas County is open to:

A. trapping;

B. ~~Canada~~ goose hunting during the early goose season; and

C. deer and bear hunting by firearms.

*[For text of subpart 12, see State Register, volume 44, page 107]*

Subp. 13. **Fox Lake Game Refuge, Martin County.** The Fox Lake Game Refuge in Martin County is open to:

*[For text of items A and B, see Minnesota Rules]*

C. ~~special-goose-hunts~~ goose hunting during the early goose season;

*[For text of items D and E, see Minnesota Rules]*

*[For text of subparts 14 to 32, see Minnesota Rules]*

Subp. 33. **Ocheda Lake Game Refuge, Nobles County.** The Ocheda Lake Game Refuge in Nobles County is open to:

*[For text of items A to C, see Minnesota Rules]*

D. ~~Canada~~ goose hunting during the early season and from the first Saturday in December through the end of the statewide goose season, except that hunting is prohibited within 100 yards of surface water during the early goose season; and

*[For text of item E, see Minnesota Rules]*

*[For text of subparts 34 to 40, see Minnesota Rules]*

Subp. 41. **St. James Game Refuge, Watonwan County.** The St. James Game Refuge in Watonwan County is open to:

A. trapping; and

B. ~~special-goose-hunts~~ goose hunting during the early goose season.

*[For text of subpart 42, see Minnesota Rules]*

Subp. 43. **Schoolcraft Game Refuge, Hubbard County.** The Schoolcraft Game Refuge in Hubbard County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after the close of the 100 series firearms deer season;

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# Expedited Emergency Rules

*[For text of items B and C, see Minnesota Rules]*

*[For text of subparts 44 to 48, see Minnesota Rules]*

*[For text of subpart 49, see State Register, volume 44, page 107]*

*[For text of subparts 50 to 53, see Minnesota Rules]*

Subp. 54. [See repealer.]

*[For text of subpart 55, see State Register, volume 44, page 107]*

*[For text of subparts 56 to 60, see Minnesota Rules]*

*[For text of subparts 61 to 63, see State Register, volume 44, page 107]*

*[For text of subpart 64, see State Register, volume 44, page 900]*

Subp. 65. **Butterball Game Refuge, St. Louis County.** The Butterball Game Refuge in St. Louis County is open November 25 through May 15 for trapping of any species for which there is an open season.

Subp. 66. **Little Rice Game Refuge, St. Louis County.** The Little Rice Game Refuge in St. Louis County is open November 25 through May 15 for trapping of any species for which there is an open season.

## 6230.0600 DESCRIPTIONS OF CONTROLLED HUNTING ZONES.

*[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 3. **Lac qui Parle zones, Chippewa and Lac qui Parle Counties.**

A. On the Lac qui Parle Wildlife Management Area in Chippewa and Lac qui Parle Counties, the controlled hunting zone includes the following:

The Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 32, Township 119 North, Range 42 West, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) and the East Half of the Northwest Quarter (E 1/2 NW 1/4) of Section 5, Township 118 North, Range 42 West, all in Lac qui Parle County.

And also the East Half of the Northwest Quarter (E 1/2 NW 1/4), the East Half of the Southwest Quarter (E 1/2 SW 1/4) and the West Half of the West Half of the Southeast Quarter (W 1/2 W 1/2 SE 1/4) of Section 12, Township 118 North, Range 42 West, ~~the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4), the Northeast Quarter (NE 1/4) except that part lying northeasterly of State Highway 7, the East Half of the Southeast Quarter (E 1/2 SE 1/4), and those parts of the Northwest Quarter (NW 1/4) owned by the state and posted as "Wildlife Management Area, Controlled Hunting Zone,"~~ all in Section 1, Township 118 North, Range 42 West, all in Chippewa County.

And also all state owned land posted as "Wildlife Management Area, Controlled Hunting Zone" located between U.S. Highways 7 and 59 and County State-Aid Highways 32 and 33, Chippewa County, in Sections 6 and 7, Township 118 North, Range 41 West, and Section 36, Township 119 North, Range 42 West, all in Chippewa County.

*[For text of items B and C, see Minnesota Rules]*

*[For text of subparts 4 to 8, see Minnesota Rules]*

## 6230.0700 LAC QUI PARLE SPECIAL PROVISIONS.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. **Hunting stations.**

*[For text of item A, see Minnesota Rules]*

# Expedited Emergency Rules

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B. From the third Thursday in October through November 30, waterfowl and small game hunters ~~may re-~~ serve must use designated hunting stations ~~according to regulations available at the Lac qui Parle Wildlife Management Area headquarters. Reservation dates may not be changed as available on a first-come, first-served basis.~~

*[For text of item C, see Minnesota Rules]*

Subp. 3. [See repealer.]

*[For text of subparts 4 and 5, see Minnesota Rules]*

Subp. 6. [See repealer.]

*[For text of subparts 7 to 9, see Minnesota Rules]*

## 6234.0800 HUNTING BY FALCONRY.

*[For text of subparts 1 to 3, see Minnesota Rules]*

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, mourning dove, and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (Gallinules) may be taken by falconry ~~from the Saturday nearest October 1 to the Saturday nearest January 14~~ during the open seasons prescribed in part 6240.0640, subpart 1, and statewide December 12 through January 25, 2021. Geese may be taken by falconry during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

## 6240.0100 DEFINITIONS.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 1a. **Early goose season.** “Early goose season” means goose seasons ~~beginning before September 16~~ open September 5 through September 20.

*[For text of subparts 2 to 4, see Minnesota Rules]*

## 6240.0200 GENERAL RESTRICTIONS FOR TAKING AND POSSESSION OF MIGRATORY GAME BIRDS.

Subpart 1. **Shooting hours.** Shooting hours for migratory waterfowl, coots, gallinules, rails, and snipe are one-half hour before sunrise to sunset, except as follows:

A. ~~on the opening day of the duck season, shooting hours begin at 9:00 a.m.; and~~

B. ~~from the opening day of the duck season to the Saturday nearest~~ through October 8 9, shooting hours end at 4:00 p.m.

Subp. 2. **Possession limits.** The possession limit is ~~twice~~ three times the daily limit, except for rails where the daily and possession limits are the same. All restrictions specific to a species or gender apply.

*[For text of subpart 3, see Minnesota Rules]*

Subp. 4. **Use of motorized watercraft.** A person may use motorized watercraft in the waterfowl feeding and resting area established on South Heron Lake during the early goose season ~~established in part 6240.1200.~~

*[For text of subparts 5 and 6, see Minnesota Rules]*

Subp. 7. **Taking in open water.** A person may take migratory waterfowl, coots, gallinules, rails, and snipe in open water on the following waters of Minnesota with the restrictions given:

A. the area of the Mississippi River and backwaters within the boundary beginning at the intersection of US

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# Expedited Emergency Rules

Highway (US) 61 and the Minnesota boundary in Dakota County; thence along US 61 to US 63; thence along US 61/63 to US 61; thence along US 61 to US 14; thence along US 61/14 to Interstate 90; thence along Interstate 90/US 61/14 to State Trunk Highway (STH) 16; thence along STH 16 to STH 26; thence along STH 26 to the state's southern boundary; thence along the southern boundary to the eastern boundary; thence along the eastern boundary to the point of the beginning: hunting is allowed not more than 100 feet from any shoreline, including islands, from boats that must be at anchor;

B. Lake Pepin, Lake of the Woods, and Lake Mille Lacs: hunting is allowed from boats that must be at anchor;  
and

C. Lake Superior north and east of Minnesota/Park Point peninsula: hunting is allowed from boats that must be at anchor.

## **6240.0250 TAKING MOURNING DOVES.**

Subpart 1. **Open season.** Mourning doves may be taken during the ~~60-day~~ 90-day period beginning September 1.

*[For text of subpart 2, see Minnesota Rules]*

## **6240.0610 YOUTH WATERFOWL HUNTING DAY.**

Subpart 1. **Dates, eligibility, and license requirements.** Ducks, mergansers, coots, moorhens, and ~~Canada~~ dark or light geese may be taken statewide on Youth Waterfowl Hunting ~~Day~~ Weekend, September 12 and 13, by resident and nonresident hunters ~~15~~ 17 years of age or younger. An adult resident or nonresident mentor 18 years of age or older, who is authorized by the youth's parent or guardian, must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. No hunting license or state waterfowl stamps are required, except all youth age 16 and older must have a federal migratory bird stamp.

Subp. 2. **Shooting hours.** Shooting hours are one-half hour before sunrise to ~~4:00 p.m.~~ sunset.

Subp. 3. **Bag limits.** The daily bag limit for ducks, mergansers, coots, and moorhens is as allowed by federal rule. The daily bag limit for geese is five ~~Canada~~ dark geese and 20 light geese.

## **6240.0630 TAKING SANDHILL CRANES.**

Subpart 1. **Open season.** Sandhill cranes may be taken from September 19 through October 25.

Subp. 2. **Shooting hours.** Shooting hours for sandhill cranes are one-half hour before sunrise to sunset, except beginning on the opening day of duck season shooting hours are the same as the duck season under part 6240.0200, subpart 1.

Subp. 3. **Open area; taking restrictions.**

A. Sandhill cranes may be taken only in the Northwest Goose Zone described in part 6240.0860, subpart 1.

B. Taking sandhill cranes is prohibited on or within 100 yards of all surface waters during the early goose season.

C. Sandhill cranes may be taken by bow and arrow or shotgun with nontoxic shot approved by the United States Fish and Wildlife Service. A person may not take sandhill cranes with a rifle or handgun.

Subp. 4. **License and permit requirements.**

A. Sandhill cranes may be taken only under:

(1) a valid permit to take sandhill cranes issued by the commissioner for a fee of \$3; and

(2) a small-game license, unless exempted.

# Expedited Emergency Rules

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B. A hunter must have a permit to take sandhill cranes in possession when taking or possessing sandhill cranes.

C. A hunter must not have had small- or big-game hunting privileges revoked within one year of purchasing a permit to take sandhill cranes.

Subp. 5. **Bag limits.** A person may not take more than two sandhill cranes per day or have more than six sandhill cranes in possession.

Subp. 6. **Penalties.** Violating this part or the conditions of any permit issued under this part results in revocation of the permit and any other penalty provided by state or federal law.

Subp. 7. **Game and waterfowl refuges.** All state game refuges closed to migratory-waterfowl hunting are closed to taking sandhill cranes under this part. All waterfowl refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking sandhill cranes under this part.

## **6240.0640 TAKING COOTS, MOORHENS, DUCKS, AND MERGANSERS.**

Subpart 1. **Open season.** Coots, moorhens, ducks, and mergansers may be taken as follows:

A. in the North Waterfowl Zone described in part 6240.0620, subpart 2, during the 60-day period from September 26 through November 24;

B. in the Central Waterfowl Zone described in part 6240.0620, subpart 4, during the 60-day period that includes September 26 through October 4 and October 10 through November 29; and

C. in the remainder of the state during the 60-day period that includes September 26 through October 4 and October 17 through December 6.

Subp. 2. **Daily limits.** In any one day, a person may not take more than six ducks, five mergansers, and a total of 15 coots and moorhens. The daily limit of ducks, other than mergansers, may not include more than four mallards, including two female mallards; one pintail; two redheads; three wood ducks; two black ducks; and two canvasback. The limit of scaup is one per day through October 22 and two per day the remainder of the duck season. The daily limit of mergansers may not include more than two hooded mergansers.

## **6240.0950 TAKING GEESE.**

Subpart 1. **Open season.** Geese may be taken:

A. statewide during the early goose season, which is a special season for which a special-season goose license is required under Minnesota Statutes, section 97B.802;

B. in the North Waterfowl Zone described in part 6240.0620, subpart 2, September 26 through December 25;

C. in the Central Waterfowl Zone described in part 6240.0620, subpart 4, September 26 through October 4 and October 10 through December 30; and

D. in the South Waterfowl Zone described in part 6240.0620, subpart 3, September 26 through October 4 and October 17 through January 6, 2021.

Subp. 2. **Daily limit.** From September 5 through September 20, the bag limit for dark geese is five combined and the bag limit for light geese is 20 combined. Beginning September 26, a person may not take more than three dark geese or 20 light geese during any open season. "Dark geese" means Canada, brant, and white-fronted geese. "Light geese" means snow, blue, and Ross's geese.

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# Expedited Emergency Rules

## Subp. 3. Taking near water.

A. Taking geese within the established September dates before the regular waterfowl season opener is prohibited on or within 100 yards of all surface waters:

- (1) in the Northwest Goose Zone established under part 6240.0860, subpart 1;
- (2) in the Swan Lake Goose Zone established under part 6240.0860, subpart 2; and
- (3) within the boundaries of the Carlos Avery Wildlife Management Area.

B. Taking geese on or within 100 yards of surface waters within the established September dates before the regular waterfowl season opener is allowed for youth hunters participating in youth waterfowl hunting days and on specific bodies of water in closed zones as described or shown on maps provided by the commissioner.

## 6240.1850 REFUGES OPEN TO TAKING GEESE.

*[For text of subpart 1, see Minnesota Rules]*

### Subp. 2. Game refuges.

~~A. The following refuges are open to goose hunting during the first two days of the regular goose season: Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County is open to goose hunting during the first two days of the regular goose season.~~

~~B. The Fox Lake Game Refuge is open to goose hunting for the last seven days of the statewide goose season. There is no goose hunting within 100 yards of Fox and Temperence Lakes.~~

*[For text of subpart 3, see Minnesota Rules]*

## 6240.2000 MIGRATORY WATERFOWL FEEDING AND RESTING AREA RESTRICTIONS.

*[For text of subparts 1 to 3, see Minnesota Rules]*

Subp. 4. **Use of electric motors.** On the lakes listed in items A to J~~K~~, a person may use an electric motor with battery power of 12 volts or less within the designated migratory waterfowl feeding and resting area during the open waterfowl season:

*[For text of items A to E, see Minnesota Rules]*

F. Kandiyohi County: ~~Wagona~~ Wakanda Lake, Lake Lillian;

*[For text of items G and H, see Minnesota Rules]*

I. Pope County: Nelson Lake; ~~and~~

J. Traverse County: Mud Lake; ~~and~~

K. Le Sueur County: Diamond Lake, Dora Lake, Sanborn Lake.

**REPEALER.** Minnesota Rules, parts 6230.0400, subpart 54; 6230.0700, subparts 3 and 6; 6240.1150, subpart 2; 6240.1200, subparts 3, 4, and 5; and 6240.1800, subpart 1, are repealed.

**EFFECTIVE PERIOD.** The expedited emergency amendments to Minnesota Rules, parts 6230.0100, 6230.0400, 6230.0600, 6230.0700, 6234.0800, 6240.0100, 6240.0200, 6240.0250, 6240.0610, 6240.1850, and 6240.2000, and the repealer expire January 30, 2021. After the expedited emergency amendments expire, the permanent rules as they read before those amendments again take effect, except as they may be amended by permanent rule. Minnesota Rules, parts 6240.0630, 6240.0640, and 6240.0950, expire January 30, 2021.

# Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Emergency Executive Order 20-75: Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our State. Since the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020, confirmed cases of COVID-19 in Minnesota have rapidly increased. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed COVID-19 case, and on March 21, 2020, the Minnesota Department of Health announced Minnesota’s first confirmed COVID-19 fatality.

The President declared a national emergency related to COVID-19 on March 13, 2020. Since then, and for the first time in history, the President has approved major disaster declarations for all fifty states and the District of Columbia. Along with these federal actions and the actions of states across the nation, Minnesota has taken extraordinary steps to prevent and respond to the COVID-19 pandemic. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency under Minnesota Statutes 2019, section 12.31, subdivision 2. On March 16, 2020, the Executive Council approved an extension of the peacetime emergency. On April 13, 2020 and again on May 13, 2020, after notifying the Legislature, I issued additional Executive Orders 20-35 and 20-53, further extending the peacetime emergency. In this Executive Order, the peacetime emergency declared in Executive Order 20-01 and extended in Executive Orders 20-35 and 20-53 is referred to as the “COVID-19 Peacetime Emergency.”

The COVID-19 pandemic has continued to intensify in Minnesota. On April 12, 2020, Minnesota had 1,650 confirmed COVID-19 cases, with 361 hospitalizations and 70 fatalities. As of May 12, 2020, Minnesota had over 12,000 confirmed COVID-19 cases, with over 1,700 hospitalizations and over 600 fatalities. These figures continue to increase. At the last count, Minnesota has experienced 3,522 hospitalizations and 1,249 fatalities. We have continued to learn more about COVID-19’s propensity to spread rapidly throughout our communities, and continued action is necessary to mitigate its impacts.

During the COVID-19 Peacetime Emergency, I have exercised executive authority through numerous Executive Orders to provide relief and further prepare our State for the COVID-19 pandemic. Such actions have included the closure of schools and implementation of a distance learning period; enhanced protections for veterans in our veterans homes; activation of the National Guard to assist in relief efforts; measures to preserve personal protective equipment; temporary closure of bars, restaurants, and other places of public accommodation; efforts to provide economic relief and stability to those impacted by the pandemic; regulatory changes allowing our state agencies, health care providers, and licensing boards to ensure fast relief to Minnesotans; and orders asking Minnesotans to stay at home to slow the spread of the virus. Our actions have saved lives, but the threat remains, and our work must continue.

Over the past month, we have begun to gradually re-open sectors of our economy that present a higher risk of COVID-19 transmission. In consultation with public health and occupational safety experts, we have implemented this re-opening in a safe and science-driven manner. Nonetheless, the science and experience of other states show that increased social interaction will lead to an increased presence of the virus in our communities and increased demands on our health

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# Executive Orders

care system. We continue to need statewide coordination and resources to fight this increased risk. The State Emergency Operations Center provides critical support and coordination to local governments, as the appropriation of public funds plainly shows, local resources continue to be inadequate to address the burden imposed by this global pandemic.

In Minnesota Statutes 2019, section 12.31, subdivision 2(a), the Minnesota Legislature authorized the Governor to declare a peacetime emergency when an act of nature endangers life and property and local government resources are inadequate to handle the situation. With the approval of the Executive Council, a peacetime emergency may continue for up to 30 days. Minnesota Statutes 2019, section 12.31, subdivision 2(b), provides the mechanism for the Governor to extend a peacetime emergency beyond 30 days. If the Governor determines a need to extend a peacetime emergency declaration beyond 30 days, and the Legislature is not already sitting in session, the Governor must issue a call immediately convening both houses of the Legislature. Because the Legislature adjourned its regular session on May 17, 2020, on June 10, 2020, I issued a proclamation calling the Legislature into a special session beginning today, June 12, 2020. The Legislature may terminate a peacetime emergency extending beyond 30 days by a majority vote of each house.

Minnesota law does not clearly impose additional requirements for an extension of a peacetime emergency beyond the initial 30 days. Given the importance of this decision, I previously concluded that the prudent course was to limit subsequent extensions to 30-day increments and seek the Executive Council's approval of such extensions. I continue that course today.

For these reasons, I order as follows:

1. I have determined that the COVID-19 pandemic, an act of nature, continues to endanger life and property in Minnesota, and local resources are inadequate to address the threat. The COVID-19 Peacetime Emergency must therefore continue.
2. The COVID-19 Peacetime Emergency is extended through July 13, 2020, until this Executive Order is rescinded by proper authority, or until it is terminated by a majority vote of each house of the Legislature pursuant to Minnesota Statutes 2019, section 12.31, subdivision 2(b), whichever occurs earlier.
3. On June 10, 2020, I issued a proclamation calling a special session of the Legislature beginning today, June 12, 2020, pursuant to Minnesota Statutes 2019, sections 4.03 and 12.31, subdivision 2(b).
4. The COVID-19 Peacetime Emergency may be further extended by an executive order on or before July 13, 2020.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on June 12, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on June 12, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

# Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Department of Commerce

### Notice of Public Hearing for Low Income Home Energy Assistance Program Draft FFY2021 State Plan

**Date:** Wednesday, July 15, 2020  
**Time:** 2:00pm  
**Location:** Webex meeting  
**Register:** *Webex Meeting website*

#### Background

The draft FFY2021 Low Income Home Energy Assistance Program (LIHEAP) State Plan describes how federal LIHEAP funds will be used to help low-income households reduce their energy burdens.

Commerce uses comments received at the public hearing and during the comment period to develop the final state plan.

You may read the draft state plan at [mn.gov/commerce/industries/energy/service-providers/eap/](https://mn.gov/commerce/industries/energy/service-providers/eap/)

#### Public Hearing Information

- The public hearing starts on time and continues until all attendees have an opportunity to offer comments and ask questions, or until 4:00pm, whichever comes first
- You may join the Webex meeting up to 10 minutes early
- Minnesota Department of Commerce staff run the hearing and are available to answer questions
- You may share verbal comments at the hearing or you may submit written comments as described below

#### Submit Comments

Please share your comments about the FFY2021 State Plan and about Minnesota's Energy Assistance Program (EAP). We are especially interested in these topics.

- EAP only serves 25% of the estimated income eligible population. What prevents some people from applying, even when their incomes are low enough to be eligible for Energy Assistance?
- What part of applying for Energy Assistance is most difficult? If you could change one thing about the application process, what would it be?
- Are Energy Assistance applications readily available in your community and/or easy to get? What is the easiest way to get one? What is one thing that would make getting an application easier?
- Any additional comments about Minnesota's EAP?

**Comment Period:** We must receive your comments by **Wednesday, July 22, 2020 at 4:30pm**

**Online:** [mn.gov/commerce/industries/energy/service-providers/eap/](https://mn.gov/commerce/industries/energy/service-providers/eap/)

**Email:** [eap.mail@state.mn.us](mailto:eap.mail@state.mn.us)

**U.S. Mail:** Michael Schmitz, Director  
Office of Energy Assistance Programs  
Minnesota Department of Commerce  
85 7th Place East, Suite 280  
St Paul MN 55101-2198

**Fax:** 651-539-0109

**Important:** Comments are publicly available, except in limited circumstances, consistent with the Minnesota Government Data Practices Act.

If any reasonable accommodation is needed to enable you to fully participate in the public hearing (e.g., sign language or large print materials), please contact 651-539-1530 at least one week in advance of the hearing.

This document can be made available in alternative formats (e.g., large print or audio) by calling 651-539-1530 (voice). Persons with hearing or speech disabilities may call us through their preferred Telecommunications Relay Service.

## **Minnesota Sentencing Guidelines Commission Notice of Public Hearing to Consider Amendments to the Sentencing Guidelines and Commentary**

THE MINNESOTA SENTENCING GUIDELINES COMMISSION WILL HOLD A PUBLIC HEARING on Thursday, July 16, 2020, at 1:30 p.m.

The public hearing is being held to consider proposed modifications to the 2019 Minnesota Sentencing Guidelines and Commentary resulting from legislative action and non-legislative amendments. A complete copy of the proposed amendments, as well as a more detailed description of their nature and effect, will be posted on the Commission's web site at [mn.gov/sentencing-guidelines](http://mn.gov/sentencing-guidelines) from June 15 through July 16, 2020. Information on how to attend the public hearing is also posted on the same web site.

The Commission will hold the record open for five calendar days after the public hearing to accept written comment.

Modifications are subject to final adoption by the Commission at its meeting on July 23, 2020. If adopted, modifications will take effect August 1, 2020, and will apply to crimes committed on or after that date.

For more information, please refer to the Commission's web site at [mn.gov/sentencing-guidelines](http://mn.gov/sentencing-guidelines) or call the Commission's office at (651) 296-0144.

# State Contracts

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

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

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

## Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). 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.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

## Minnesota State Colleges and Universities (Minnesota State) Bemidji State University and Northwest Technical College Notice of Request for Proposal (RFP) for Laerdal Simulators, Sim Capture System, Onsite Installation/Integration, and Faculty Education/Training

Northwest Technical College is soliciting proposals for Laerdal Simulators, Sim Capture System, Onsite Installation/Integration, and Faculty Education/Training. The full Request for Proposal can be downloaded at: <https://www.bemidjistate.edu/offices/business-services/procurement/rfps-and-bids/>

Questions regarding this RFP must be submitted via e-mail to [Ronald.beckstrom@bemidjistate.edu](mailto:Ronald.beckstrom@bemidjistate.edu) by 2:00 p.m. on Wednesday, June 17, 2020. Responses to the questions will be posted to the BSU RFP website by 2:00 p.m. on Friday, June 19, 2020.

Please submit your **original, signed, sealed proposal** to:

Bemidji State University & Northwest Technical College  
Ron Beckstrom  
Director of Business Services  
Business Services #5  
1500 Birchmont Drive  
Bemidji, MN 56601

Sealed proposals must be received NO later than **2:00 PM, Monday, June 22, 2020**; late responses will not be considered. Faxed and e-mails proposals will be rejected.

Bemidji State University/Northwest Technical College reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate Bemidji State University/Northwest Technical College to award a purchase order or contract.

## **Minnesota State Colleges and Universities (Minnesota State) Dakota County Technical College Notice of Request for Proposals for Minnesota State Transportation Center of Excellence Website Contractor and Services**

Dakota County Technical College (DCTC) of Rosemount, MN is accepting proposals for a web development and design agency for the Minnesota State Transportation Center of Excellence website, [www.minntran.org](http://www.minntran.org). DCTC desires to enter into a contract with the successful vendor effective July 1, 2020. The length of such contract shall be (2) two years, with the option to extend up to (3) three additional, (1) year terms, up to a total of five years.

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

Sealed proposals (fax and email bids will not be accepted) must be delivered no later than **June 29th, 2020 at 2:00pm CST** to:

Dakota County Technical College  
Attn: Purchasing – TCOE Website Services Proposal  
1300 East 145th St.  
Rosemount, MN 55068

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

## **Minnesota State Colleges and Universities (Minnesota State) Lake Superior College Request for Bid for Automotive Service Tool Sets**

**NOTICE IS HEREBY GIVEN** that proposals are being solicited for 10 sets of Automotive Technician tools with roller cabinets (exact tool list contained in RFB). These tools will be used by students in the Automotive Service Technician program at Lake Superior College.

For additional information or to request a copy of the Request for Bid, please contact:

Mike Francisco, Purchasing  
Lake Superior College  
2101 Trinity Road, Duluth MN 55811  
P: 218-733-5968 E: [purchasing@lsc.edu](mailto:purchasing@lsc.edu)

The RFB can also be found at <https://www.lsc.edu/rfp/>. Proposals are due at the Lake Superior College Business Office by 12:00pm CT on Friday, June 26, 2020.

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

# State Contracts

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## Department of Economic Development (DEED)

### Vocational Rehabilitation Services

#### Request for Proposals for Career Counseling Information and Referral Services

The Department of Employment and Economic Development, through its Vocational Rehabilitation Services Division, is seeking proposals from existing Centers for Independent Living in Minnesota to provide Career Counseling, Information and Referral services as required by the Workforce Innovation and Opportunity Act. The RFP is posted on DEED's website: <https://mn.gov/deed/about/contracts/>. Responses must be received not later than 4:30 pm, Central Time, on July 15, 2020.

## 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](http://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 2020 Inbound Roadway Reconstruction

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2020 Inbound Roadway Reconstruction  
**MAC Contract No.:** 106-3-646  
**Bids Close At:** 2:00 p.m. Thursday, June 25, 2020

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 Mobilization, Maintenance of Traffic and Traffic Control, Management of Impacted and Contaminated Materials, Excavation, Reclamation, Erosion and Sedimentation Controls, Removals, Concrete Pavement, Concrete Curbing and Walks, Pavement Markings, and Barriers and Bollards.

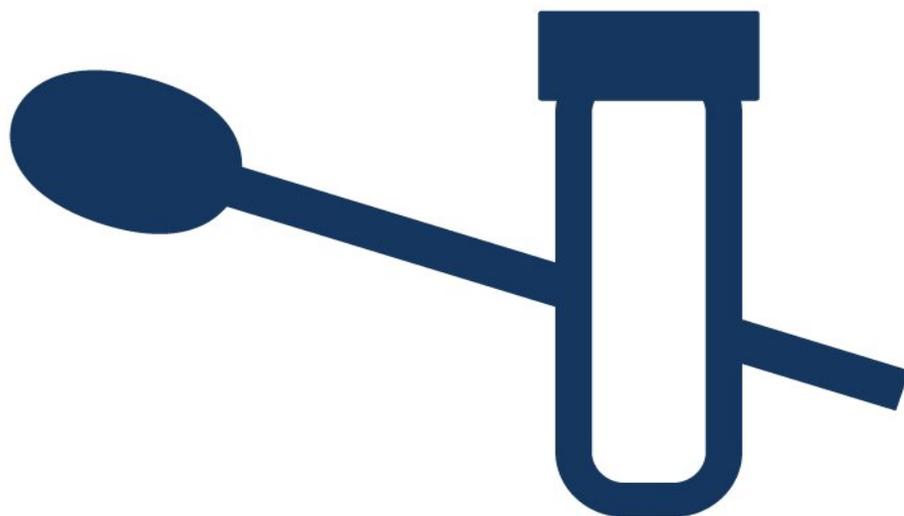
**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscriber Service* and choose this and other topics about which you are interested.

**Disadvantaged Business Enterprises (DBE):** The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 14.0%.

**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 Construction Documents:** Plans and specifications are on file for inspection at the office of Kimley-Horn and Associates, Inc.; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Due to COVID-19, inspection will not be allowed at the Consultant office. Bidders desiring drawings and specifications for personal use may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$20.00 by entering eBidDoc™ #7094841 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance. Hard copy drawings and specifications will not be made available to Bidders.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on June 8, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).



# Get tested.

[mn.gov/covid19](https://mn.gov/covid19)

**STAY SAFE MN**

