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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners' Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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

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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- **Withdrawn Rules**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. 45 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)
#6	Monday 10 August	Noon Tuesday 4 August	Noon Thursday 30 July
#7	Monday 17 August	Noon Tuesday 11 August	Noon Thursday 6 August
#8	Monday 24 August	Noon Tuesday 18 August	Noon Thursday 13 August
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Governor: Tim Walz
(651) 201-3400
Lieutenant Governor: Peggy Flanagan
(651) 201-3400
Commissioner: Alice Roberts-Davis
(651) 201-2601

Facilities Management Division: Christopher A. Guevin
(651) 201-2350

Attorney General: Keith Ellison (651) 296-3353

Auditor: Julie Blaha
(651) 296-2551

Secretary of State: Steve Simon (651) 296-2803

Minnesota's Bookstore: Justin Patrick (651) 201-3203

Editor: Sean Plemmons
(651) 201-3204
sean.plemmons@state.mn.us

Subscriptions Manager: Loretta J. Diaz (651) 201-3202
loretta.diaz@state.mn.us

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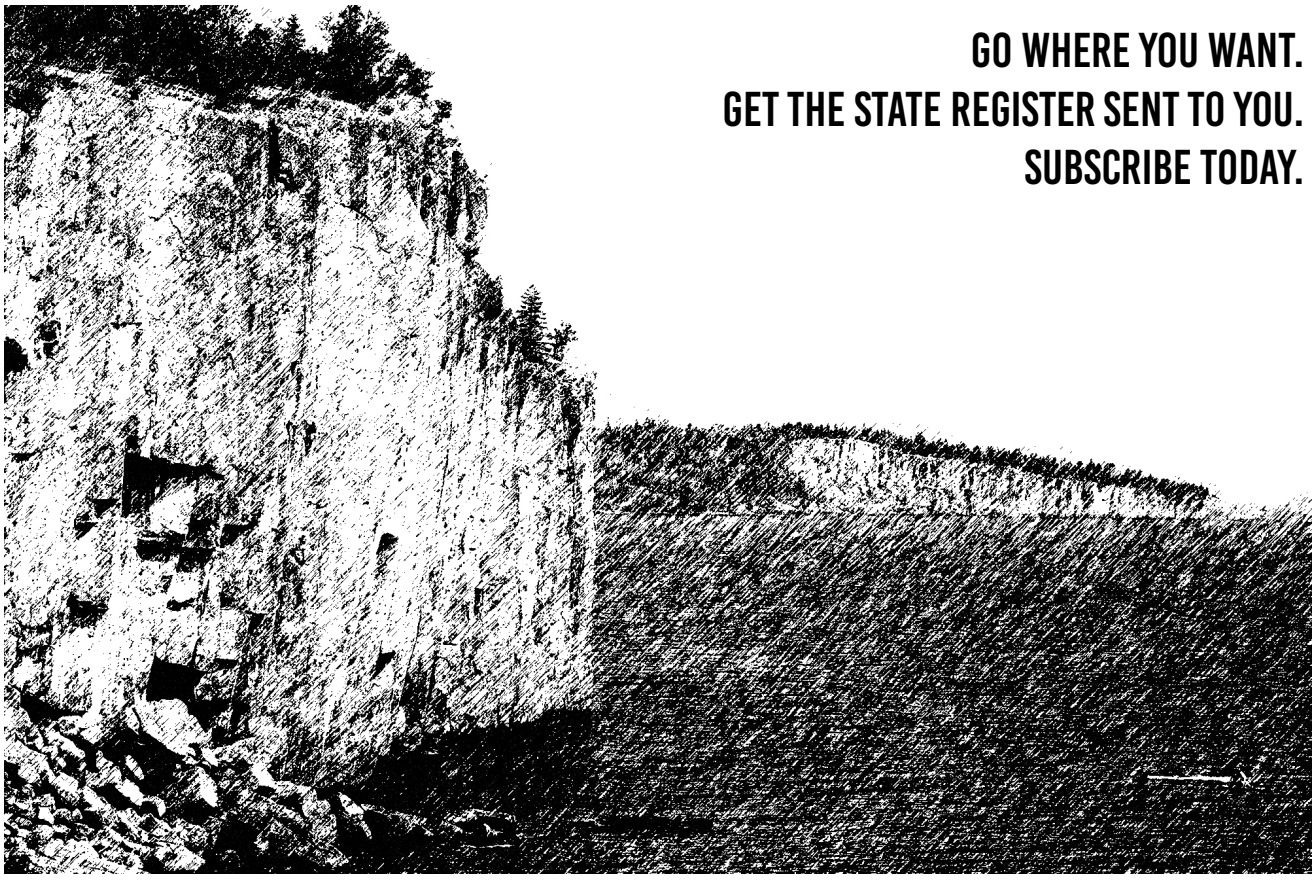
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Minnesota Rules: Amendments and Additions

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.

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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 20-82: Authorizing and Directing the Commissioner of Education to Require School Districts and Charter Schools to Provide a Safe and Effective Learning Environment for Minnesota's Students during the 2020-21 School Year

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 presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. After notifying the Legislature, on April 13, 2020, May 13, 2020, June 12, 2020, and July 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

The health and safety of Minnesotans is my top priority. In response to the COVID-19 pandemic and in consultation with the Commissioner of Education ("Commissioner") and the Commissioner of Health, I issued Executive Orders 20-02 and 20-19, first closing schools to plan for a safe education environment and then implementing a distance learning period for Minnesota public school districts and charter schools. I also issued Executive Order 20-41 to extend the distance learning period to the end of the 2019-20 school year. Most recently, I issued Executive Order 20-57 to allow public school districts and charter schools the option to offer summer learning through a hybrid model or distance learning.

On June 18, 2020, the Minnesota Department of Education ("MDE") and the Minnesota Department of Health ("MDH") issued guidance to help school districts and charter schools plan for the 2020-21 school year in light of the COVID-19 pandemic. MDE and MDH directed public school districts and charter schools to create three educational delivery plans based on different instructional models: in-person learning for all students; hybrid learning with strict social distancing and capacity limits; and distance learning only. Districts and schools were directed to do this planning because it is imperative that, as this pandemic evolves, our schools are prepared to turn the dial in response to any changing environment during the 2020-21 school year.

Schools are critical to our communities and impact the physical and mental health, economic success, growth, and development of students and families. Education is a fundamental determinant of health. It cultivates life skills, knowledge and reasoning, social-emotional awareness and control, and community engagement; all of these skills serve people over the course of a lifetime. Schools also function as tools and resources for public health intervention by addressing core needs like nutrition, access to health and social support services, and support for families and communities. The health, safety, and wellness of our students, staff, and families is always at the center of our decisions.

Through robust engagement and ongoing dialogue, state and community leaders continue to hear from our students, families, educators, and school staff members. Minnesotans have made many significant sacrifices to create equitable distance learning opportunities. While it is possible that protecting public health may require future periods of distance learning, we must recognize and address the challenge it creates for everyone in our school communities. These

challenges include missed connections to peers, educators, and staff, as well as a lack of access to technology, in-school meals, mental health supports, and other services. Such challenges have made distance learning difficult for everyone in our school communities, and especially our students of color, Indigenous students, English language learners, students receiving special education services, students experiencing homelessness, migrant students, and students from low-income families.

With student and school staff safety as the priority, the Commissioner and I, in consultation with the Commissioner of Health, have concluded that a school district or charter school must adhere to parameters set forth in the "Safe Learning Plan for 2020-21" ("Safe Learning Plan") in implementing the three instructional models. Circumstances may require turning the dial backward (less in-school instruction) or allow for turning the dial forward (more in-school instruction). While reopening school buildings for in-person instruction is our ultimate goal, and we recognize that many children and families have experienced additional economic hardships, social isolation, and other stressors through distance learning, the main priority must continue to be the health, safety, and wellness of our students, staff, and community. During the COVID-19 pandemic, our school districts and charter schools must continue to collaborate closely with MDE, MDH, and local public health authorities.

The Commissioner, in collaboration with the Commissioner of Health, continues to retain the authority to close schools, charter schools, and school districts or to curtail school activities. However, this Executive Order also gives local school districts and charter schools the ability to dial back or dial forward activities consistent with the latest data, guidance, and parameters set forth in the Safe Learning Plan. Our state agencies, along with local and regional partners, will provide our local education agencies the proper guidance and parameters to support them in making these important determinations for their communities. In collaboration with community partners, educators, families, and students, a school district or charter school may choose to be more restrictive than what is recommended by the most up-to-date parameters set forth in the Safe Learning Plan. We will also ensure that distance learning continues to be a widespread option for families concerned about in-person learning, and this option must meet the needs of all students who choose it.

As provided in MDE guidance, care for school-aged children of certain workers in critical sectors ("Eligible Children") must continue during the implementation of distance and hybrid learning models. I am grateful for the care that school districts and charter schools have provided during this pandemic. In consultation with the Minnesota Children's Cabinet, MDE will continue to provide guidance regarding child and school age care, enrichment, and learning during the 2020-21 school year. All programs serving children must follow public health guidelines on masking, social distancing, personal hygiene, screening, and cleaning practice ("Public Health Guidelines"). I encourage school districts and charter schools to continue to prioritize innovation and direct outreach to students.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature recognized the "existing and increasing possibility of the occurrence of natural and other disasters of major size and destructiveness" and conferred upon the Governor the emergency and disaster powers provided in Chapter 12 to "ensure the preparations of this state will be adequate to deal with disasters," to "generally protect the public peace, health, and safety," and to "preserve the lives and property of the people of the state." Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the State's emergency management as well as carry out the provisions of Minnesota's Emergency Management Act.

Under Minnesota Statutes 2019, section 12.21, subdivision 3(11), the Governor may authorize the Commissioner "to alter school schedules, curtail school activities, or order schools closed." Pursuant to subdivision 3(1) of that same section, the Governor may "make, amend, and rescind the necessary orders and rules to carry out the provisions" of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the State are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Previous COVID-19 Executive Orders related to the Commissioner of Education remain in effect except as modified or superseded by this Executive Order.

2. This Executive Order applies to all schools as set forth in Minnesota Statutes 2019, section 12.21, subdivision 3(11). I continue to encourage tribal and nonpublic schools to fulfill the spirit and directives of this Executive Order.

3. Nothing in this Executive Order should be construed to encourage or require Minnesotans in categories at risk of severe illness from COVID-19 to act inconsistently with public health recommendations or the advice of their doctors. All Minnesotans should continue to regularly check and follow the advice on MDH's COVID-19 website (https://www.health.state.mn.us/diseases/coronavirus/).

4. To begin the 2020-21 school year, school districts ("districts") and charter schools must implement an appropriate instructional model that adheres to parameters set forth in the Safe Learning Plan. The initial determination of which instructional model a district or charter school implements to start the 2020-21 school year must be made at least two weeks prior to the start of their respective school year calendar. I direct MDH to update the Safe Learning Plan as needed to respond to the evolving COVID-19 environment. Pursuant to MDE and MDH guidance, all districts and charter schools must offer a distance learning model that meets the educational needs of all students of families who choose not to receive in-person instruction.

5. Consistent with MDH guidance and in consultation with local public health officials, MDH, and MDE to the extent possible, a district or charter school may dial back to an instructional model that is more restrictive than what is required under the Safe Learning Plan if the district or charter school determines that dialing back is necessary for a school building or particular grades of instruction. Such actions must be consistent with guidance outlined in paragraph 8. If a district or charter school chooses to dial back to a more restrictive instructional model than what is required by the Safe Learning Plan, it must notify the Commissioner within 24 hours of implementing the more restrictive instructional model.

6. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(11), the Commissioner is authorized to order a district or charter school to dial back to a more restrictive instructional model if the Commissioner, in consultation with MDH and the district or school, determines the instructional model being utilized by the district or charter school is no longer appropriate pursuant to the Safe Learning Plan.

7. More restrictive models of instruction may be necessary for individual classrooms within a school based on the circumstances. MDH will work in consultation with MDE and schools to ensure clear public health guidance, notification, and processes are implemented to protect the safety of students, staff, and the overall school community.

8. In the Safe Learning Plan, MDH must provide parameters to districts and charter schools that indicate when a district or charter school must dial back to a more restrictive instructional model and tailor models based on age group and grade. A district or charter school must consider this guidance when determining whether to limit in-person instruction pursuant to paragraph 5. The Commissioner, in consultation with the Commissioner of Health, must work with education partners to develop training to assist districts and charter schools in making decisions to dial back instruction.

9. A district or charter school that has dialed back its instructional model pursuant to paragraphs 4 or 5 may subsequently dial forward to a less restrictive instructional model if doing so is in adherence with the Safe Learning Plan. If a district or charter school chooses to dial forward to a less restrictive instructional model, it must notify the Commissioner within 24 hours of implementing the less restrictive instructional model.

10. I encourage the Service Cooperatives to be available to provide support to districts and charter schools within their region that are working with MDH, MDE, and local public health officials to determine whether to dial back or dial forward instructional models pursuant to paragraphs 4, 5, or 9. I also encourage the Service Cooperatives to provide support to districts and charter schools within their region as they implement such models.

11. I encourage districts and charter schools to either utilize their current incident command team or create an incident command team to direct decisions and planning around dialing forward and backward between instructional models pursuant to paragraphs 4, 5, 6, and 9. I direct MDE to develop guidance related to the composition and duties of incident command teams.

12. I direct the Commissioner of Health to continue to use the tools at her disposal, including Health Alert Network advisories and other guidance, to ensure that school staff and students who have been exposed to COVID-19 are tested promptly. I also direct state agencies and COVID-19 response efforts to develop comprehensive strategies to achieve that goal.

13. Consistent with labor agreements, districts and charter schools must utilize available staff who are able to work during the 2020-21 school year. Districts and charter schools must also provide accommodations to staff as required by applicable laws and must allow school staff whose health is at risk or who have members of their household whose health is at risk to work from home to the extent possible.

14. If a district or charter school will be implementing in-person learning or a hybrid learning model to commence the 2020-21 school year, its educators and other workers, in accordance with Public Health Guidelines and paragraph 13, will report to their respective school buildings no later than two business days before the start of the 2020-21 year to plan and prepare for students' return to school buildings.

15. Pursuant to paragraph 17 of Executive Order 20-57, I direct the Commissioner, in consultation with the Commissioner of Health, to continue to update guidance for in-person learning, hybrid-learning, and distance learning during the 2020-21 school year.

16. Districts and charter schools must comply with Public Health Guidelines, applicable MDE guidance, and this Executive Order.

17. Districts and charter schools must provide students, teachers, and staff with a teaching and learning environment that complies with Public Health Guidelines, including, but not limited to, creating as much physical space between students and teachers as is feasible.

18. Activities and extracurricular programming should continue to follow the COVID-19 Prevention Guidance for Youth Programs and COVID-19 Sports Guidance for Youth and Adults and Youth Programs Guidance.

19. Consistent with labor agreements, to the extent required by the Public Employment Labor Relations Act, Minnesota Statutes 2019, Chapter 179A, districts and charter schools are expected to negotiate resources for contracted teachers and staff supporting all instructional models, including, but not limited to, wages, benefits, work schedules, access to appropriate personal protective equipment, and public health protocols for safe and healthy teaching and learning conditions.

20. During the 2020-21 school year, all districts and charter schools providing in-person learning for all students must do so according to the plans developed during the Summer Learning Period, as defined by paragraph 2 of Executive Order 20-57, revised as needed, pursuant to applicable federal and state statutes. All districts and charter schools must also create contingency plans for distance learning and hybrid learning to be used if the district or charter school chooses to dial back in-person instruction pursuant to paragraph 5 or is required to dial back in-person instruction pursuant to paragraphs 4 or 6. Districts and charter schools are strongly encouraged to engage their school community (staff and families) and document that engagement in their plans.

21. If a district or charter school chooses to dial back in-person instruction pursuant to paragraph 5 or is required to dial back in-person instruction pursuant to paragraphs 4 or 6, the district or charter school must continue to provide meals to students during the school day to the extent possible, utilizing all waivers and flexibilities provided by the U.S. Department of Agriculture ("USDA").

22. Districts and charter schools must electronically post and communicate their plans for in-person learning, hybrid learning, and distance learning plans to students and their families no later than one week before the beginning of their respective 2020-21 school year. Districts and charter schools must make all reasonable efforts to provide such communications orally and written in languages spoken in their respective district or charter school. The contingency plans must address, but not be limited to, communication pathways with students and families, community input on student and family needs, and other outreach opportunities. This is in addition to addressing core instruction, supports for all student groups, nutrition, school-age care, technology needs, and effective delivery of educational models to students in a distance learning or hybrid model setting. The Commissioner may review whether a plan adequately addresses technological disparities in access and learning. The Commissioner may recommend changes and provide technical assistance to district and charter school programming to address any such disparities, to assist in meeting the needs of their students, staff, and communities.

23. A district or charter school that chooses to dial back in-person instruction pursuant to paragraph 5 or is required to dial back in-person instruction pursuant to paragraphs 4 or 6, must provide continuous education based on its distance learning and hybrid learning contingency plans.

24. Subject to paragraph 3, districts and charter schools that choose to dial back in-person instruction pursuant to paragraph 5 or are required to dial back in-person instruction pursuant to paragraphs 4 or 6, in cooperation with state agencies, are directed to support communities disproportionately impacted by distance learning and hybrid learning, including but not limited to, historically marginalized or disenfranchised families and families experiencing homelessness. Where appropriate, districts and charter schools should prioritize providing in-person instruction and services to students from such communities and families. MDE will continue to provide additional guidance to districts and charter schools about this provision.

25. When providing instruction in person, a district or charter school must continue to run its early childhood programs pursuant to Public Health Guidelines, including community education programs, and may charge fees on its normal sliding fee scale. A district or charter school may also continue to provide before and after school care and may charge fees on its normal sliding fee scale.

26. A district or charter school that dials back in-person instruction pursuant to paragraph 5 or is required to dial back in-person instruction pursuant to paragraphs 4 or 6, must provide care for Eligible Children at no cost during the time those children are not receiving instruction in the school building during regular school hours. Workers required to provide care to Eligible Children under this Executive Order, which extends the requirement under Executive Order 20-02, paragraph 11, and Executive Order 20-19, paragraph 18, continue to enjoy the presumption provided under Minnesota Laws 2020, Chapter 72, section 1. A district or charter school may continue to run early childhood programs, including community education programs, and may charge fees on its normal sliding fee scale. I continue to encourage districts and charter schools to provide before and after school care, and they may charge fees for such care on their normal sliding fee scale. In providing this care, schools must follow Public Health Guidelines. Schools are not required to provide care during previously scheduled breaks reflected on a school-board approved calendar. MDE will provide further guidance to districts, charter schools, and the public about this provision.

27. Upon approval by the Executive Council, a district or charter school that chooses to dial back in-person instruction pursuant to paragraph 5 or is required to dial back in-person instruction pursuant to paragraphs 4 or 6, must allow 2020-21 graduating seniors to complete any testing required to attain a state bilingual or multilingual seal under Minnesota Statutes 2019, section 120B.022, subdivision 1b.

28. Consistent with tribal considerations, guidance from MDE, and the federal Every Student Succeeds Act ("ESSA"), all consultations, collaborations, and partnerships with Tribal Nations, American Indian Parent Committees, and Indigenous Education staff must continue. American Indian Education Aid Program Plans must be considered when creating contingency distance learning and hybrid learning plans.

29. Upon approval by the Executive Council, if a district or charter school chooses to dial back instruction to a distance learning model pursuant to paragraph 5, is required to dial back the instruction to a distance learning model pursuant to paragraphs 4 or 6, or returns to in-person instruction from a distance learning model for one or more schools, the district or charter school may use up to five instructional days at the impacted school or schools to plan for the change in instructional delivery during the 2020-21 school year. Staff must use the designated planning days to plan for the change in instructional delivery. These planning days may be counted as instructional days even if students may not be receiving instruction. Students who are enrolled in the school on the day immediately prior to the planning day may be counted in attendance and membership. Any days over five instructional days used for planning days pursuant to this paragraph may be counted as instructional days with MDE approval.

30. Upon approval by the Executive Council, the requirement to perform in-person developmental screenings under Minnesota Rules 2019, part 3530.3400, is waived if a district or charter school chooses to dial back in-person instruction to a distance learning model pursuant to paragraph 5 or is required to dial back in-person instruction to a distance learning model pursuant to paragraphs 4 or 6. MDE must develop guidance on a parent report tool in place of the in-person developmental screening.

31. Upon approval by the Executive Council, the requirement to complete early childhood developmental screening within 30 days under Minnesota Statutes 2019, section 121A.17, is extended to 90 days. This will allow children to remain enrolled in kindergarten if a district or charter school chooses to dial back in-person instruction to a distance learning model pursuant to paragraph 5 or is required to dial back in-person instruction to a distance learning model pursuant to paragraphs 4 or 6.

32. If a district or charter school is providing instruction through a distance learning model pursuant to paragraphs 4, 5, or 6, I authorize the Commissioner, in consultation with the Commissioner of Health, to expand in-school provision of activities and programming that the Commissioner deems necessary and that can be operationalized in compliance with Public Health Guidelines. This expansion of in-school activities must be where those services cannot be provided through a distance learning model and those services are needed to access that student's distance learning instruction, provide supports or services schools can safely offer, and create opportunities for meaningful connections between students and teachers.

33. The Commissioner, in consultation with the Commissioner of Health, must establish a protocol in accordance with Public Health Guidelines to allow for home visits by school staff to build and preserve relationships with students and their families for when a district or charter school is providing instruction through a distance learning model pursuant to paragraphs 4, 5, or 6. Nothing in this protocol should be interpreted as a requirement or should be used to replace services provided by counties or social services.

34. I encourage districts and charter schools that choose to dial back in-person instruction, pursuant to paragraph 5 or are required to dial back in-person instruction pursuant to paragraphs 4 or 6, to allow students to retain any technology provided to them through the remainder of the 2020-21 school year. I also expect districts and charter schools to continue to provide maintenance for this technology.

35. No supplier or business should limit or restrict reasonable orders of personal protective equipment or cleaning, hygiene, or sanitation supplies by child care providers who are serving Eligible Children as defined in this Executive Order and as provided by further guidance.

36. Upon approval by the Executive Council, the following payments received by Minnesotans as the result of the COVID-19 pandemic must not be counted as income when determining eligibility for the early learning scholarships program administered by MDE, pursuant to Minnesota Statutes 2019, section 124D.165:

    a. Federal CARES Act payments of up to $1,200 per adult and $500 per child.

    b. Any other federal government payments issued to individuals to relieve the adverse economic

impact caused by the COVID-19 pandemic.

c. State government payments issued to individuals to relieve the adverse economic impact caused by the COVID-19 pandemic.

d. Local government payments issued to individuals to relieve the adverse economic impact caused by the COVID-19 pandemic.

e. Tribal government payments issued to tribal members to relieve the adverse economic impact caused by the COVID-19 pandemic.

37. Upon approval by the Executive Council, when determining eligibility for the programs administered by MDE, the above payments will not be counted as assets, personal property, or resources.

38. Upon approval by the Executive Council, for Fiscal Year 2021 only, expenses for special education staff assigned to other work during distance learning or hybrid learning implemented pursuant to paragraphs 4, 5, or 6, and expenses recorded in the food service fund may be charged to the same Uniform Financial Accounting and Reporting Standards codes to which the service is charged for an instructional day. The Commissioner must notify districts and charter schools of these formula changes as soon as practicable.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

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 July 30, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on July 30, 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.

Minnesota Board of Peace Officer Standards and Training

REQUEST FOR COMMENTS for Possible Amendment to Rules Governing Peace Officers, *Minnesota Rules*, chapter 6700; Revisor's ID Number 4641

Subject of Rules. The Minnesota Board of Peace Officer Standards and Training (POST Board) requests comments on its plans to amend *Minnesota Rules*, chapter 6700.

The purpose of this major rules overhaul is to simplify language, reorganize rules to make it easier to find information, remove unnecessary requirements, provide for better administration of the rules, clarify unclear passages and to update the rules in the entire chapter. The POST Board anticipates focusing on rules regarding initial licensing and renewal requirements; continuing education; peace officer misconduct reporting requirements and complaints; authority and scope to impose licensing sanctions; certification and procedural requirements for schools; and curriculum and training.

The POST Board is seeking comments and suggestions for any changes in the rules administered by the Board (*Minnesota Rules,* chapter 6700).

Persons Affected. The amendments to the rules would likely affect:

- Licensed peace officers and applicants for licensure
- Law enforcement agencies
- Chief law enforcement officers
- Schools offering or intending to offer professional peace officer education
- Providers and sponsors of continuing education classes for peace officers
- Prospective and current students interested in qualifying for licensure
- Members of the public served by licensed peace officers

Statutory Authority. *Minnesota Statutes*, sections 626.843 authorizes the Minnesota Board of Peace Officer Standards and Training to adopt rules with respect to matters consistent with the Board's regulatory authority identified in *Minnesota Statutes*, sections 626.84 to 626.863.

Advisory Committee. The POST Board plans to appoint an advisory committee to assist in the review of current rules and in development of new or amended rules. The advisory committee will include representatives from the community, law enforcement professionals, schools, and other parties affected by or interested in rules administered by the POST Board. To learn more about the advisory committee or to apply for the advisory committee, contact Rebecca Gaspard at 651-201-7781 or ***rebecca.w.gaspard@state.mn.us***. Applications to serve on the advisory committee are due by 4:30 p.m. on September 4, 2020.

Public Comment. Interested persons or groups may submit comments or suggestions for changes in the current rules in writing until 4:30 p.m. on September 4, 2020. The POST Board 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.

Rules Drafts. The POST Board has not yet drafted the possible rules amendments, and does not anticipate that a draft of the rules will be available before the completion of the Advisory Committee's work and the publication of the

proposed rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Rebecca Gaspard, Minnesota Board of Peace Officer Standards and Training (POST Board), 1600 University Avenue, Suite 200, St. Paul, MN 55104, 651-201-7781, or ***rebecca.w.gaspard@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: July 24, 2020

Erik Misselt, Interim Executive Director
Peace Officer Standards and Training Board

Teachers Retirement Association
Audit Committee
Notice of Meeting

The Minnesota Teachers Retirement Association Audit Committee will hold a meeting on **Tuesday, August 18, 2020 at 9:30 a.m.** in Room 414, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate in the meeting by electronic means.

If Governor Walz's social distancing requirements remain in place on the meeting day, the meeting will be held by electronic means. The public may monitor the meeting electronically from a remote site as set out on the agency's website, which can be found at ***www.minnesotatra.org***.

Teachers Retirement Association
Board of Trustees
Notice of Meeting

The Minnesota Teachers Retirement Association Board of Trustees will hold a planning and educational retreat on **Wednesday, August 19, 2020 at 9:30 a.m.** in Room 106, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate in the meeting by electronic means.

If Governor Walz's social distancing requirements remain in place on the meeting day, the meeting will be held by electronic means. The public may monitor the meeting electronically from a remote site as set out on the agency's website, which can be found at ***www.minnesotatra.org***.

Minnesota Department of Transportation (MnDOT)
Notice of Public Meeting for the Disposition of Railbank Property in Beltrami County

The Minnesota Department of Transportation has ownership of the railbank corridor, and is proposing the sale of a 6,693 square foot strip of railbank property to the county of Beltrami. This notice is published pursuant to State Statute 222.63, and Minnesota rules 8830.5820 and 8830.5840

A public meeting will be held through virtually at the following web address: Join as an attendee: ***Public Meeting: Review/Comment Railbank Conveyance*** on Thursday, August 20, 2020 from 10 to 11 am to afford the public an opportunity to view and comment on the proposed sale.

The sale property would benefit an upcoming road project to the purchaser, Beltrami County.

If any person objects to the above action, written notification must be received by September 21, 2020 by the Department's contact for the above matter: Rebecca Swenson, Transportation Program Specialist 3, Office of Land Management, 395 John Ireland Blvd, St Paul MN 55155-1800. You may also call at 612-322-0387.

To request an ASL or foreign language interpreter, or other reasonable accommodation, call Janet Miller at 651-366-4720 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). Alternatively, send an email to ***janet.rae.miller@state.mn.us***. Please request at least one week in advance.

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 Human Services

Child Safety and Permanency Division

Addendum to Request for Proposals to Implement a Community-Based Navigation Model for Families of Young Children

The Minnesota Department of Human Services through its Child Safety and Permanency Division has published an Addendum to its Request for Proposal to Implement a Community-Based Navigation Model for Families of Young Children] that was published in the July 20, 2020 State Register. In the Addendum, multiple clarifications to the original RFP have been made for ease of the applicants including an application template.

To request a full text of the RFP Addendum please contact:

Tracy Roloff
Department of Human Services
Child Care Services Division
Phone: (651) 338-0025
tracy.roloff@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: ***https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/***

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

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 Academies (Blind School & Deaf School)

Notice of Contract Opportunity for Mental Health Services

PROJECT NAME: Mental Health services

DETAILS: The Minnesota State Academies is requesting proposals for a Mental Health services

Work is anticipated to start after September 8th, 2020.

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

Mike Hopwood
Fiscal Services Director
615 Olof Hanson Drive Faribault, MN 55021
Mike.hopwood@msa.state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received **by Email, US mail or other Mail carriers** no later than **August 24th, 2020 9:00 AM Central Daylight time. Late proposals will not be considered.**

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

Minnesota State Academies (Blind School & Deaf School)

Notice of Contract Opportunity for Physical Therapy Supervisor Consultant Services

PROJECT NAME: Physical Therapy Supervisor consultant services

DETAILS: The Minnesota State Academies is requesting proposals for a Physical Therapy Supervisor consultant services

Work is anticipated to start after September 8th, 2020.

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

Mike Hopwood
Fiscal Services Director
615 Olof Hanson Drive Faribault, MN 55021
Mike.hopwood@msa.state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received **by Email, US mail or other Mail** carriers no later than **August 24th, 2020 9:00 AM Central Daylight time. Late proposals will not be considered.**

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

Minnesota State Colleges and Universities (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)
Northland Community and Technical College
Notice of Request for Redesign of Northland Community & Technical College's New Public-Facing Website

NOTICE IS HEREBY GIVEN that Northland Community & Technical College Requests for Proposal (RFP) for a consultant(s) to assist with a Website Redesign (strategy, high-level architecture, content development, user flows and visual UI/UX redesign) of its new public-facing website. The vendor selected will work with college employees and other external parties through multiple meetings utilizing technology formats. To receive a copy of the full RFP, please contact Shannon Jesme either by telephone (218) 683-8577 or email at ***shannon.jesme@northlandcollege.edu***.

Proposals are due by 5:00 p.m. central time, Monday, August 10, 2020 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Chad Sperling at email ***chad.sperling@northlandcollege.edu***. 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.

Minnesota State Colleges and Universities (Minnesota State)

Pine Technical and Community College

Request for Proposals for Campus Food and Catering Services

NOTICE IS HEREBY GIVEN that Pine Technical and Community College is seeking Requests for Proposal (RFP) for Campus Food and Catering Services.

The deadline for the proposal is August 21, 8:00 a.m. CT. View the full RFP at: ***https://www.pine.edu/rfp***

Submit proposals and inquiries to:

Janis Wegner
Campus Finance and Information Officer
Pine Technical and Community College
900 4th Street SE
Pine City MN 55063
320/629-5123
janis.wegner@pine.edu

Pine Technical and Community College is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements

Description of Opportunity

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

Proposal Content

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

1. Maximize Lottery Visibility – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its

message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of $35,000-$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

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

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

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

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

Questions

Questions concerning this Solicitation should be directed to:

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

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

Response Delivery

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

Minnesota Department of 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 all 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 Plumbing Infrastructure Upgrade Program

Airport Location: **Minneapolis St. Paul International Airport**
Project Name: **2020 Plumbing Infrastructure Upgrade Program**
MAC Contract No.: **106-2-938**
Bids Close At: **2:00 p.m., Tuesday, August 18, 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 includes but not limited to the replacement of deteriorated plastic waste pipe, removal of abandoned domestic water equipment, removal of a clogged trench drain, replacement of a sanitary grinder, and replacement of domestic water mixing station.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 4%.

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 Michaud Cooley Erickson; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications may secure a complete set at ***http://www.franzrepro.com***. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for $50.00 by entering 106-2-938-00 in the "search projects" box then click "refresh/search" button. Contact Franz at 761-503-3401 or ***support@franzrepro.com*** for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on July 27, 2020, at MAC's web address of ***http://www.metroairports.org/airport-authority/business-opportunities/solicitations*** (construction bids).

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2020 Miscellaneous Airfield Construction Phase 3 - Taxiway L4 Decommissioning

Project Location: **Minneapolis-St. Paul International Airport**
Project Name: **2020 Miscellaneous Airfield Construction Phase 3 - Taxiway L4 Decommissioning**
MAC Contract No. **106-1-314**
Bids Close At: **2:00 PM on August 18, 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 the decommissioning of Taxiway L4 through the removal of existing airfield lights, signs, and pavement markings; installation of taxiway edge lighting on Taxiway L; and the installation of airfield pavement markings. The project includes installation of taxiway edge lights, cabling, modifications, modifications to the Airfield Lighting Control System, and airfield pavement marking.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 8.0%.

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 TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Digital copies of the drawings and specifications will also be available at www.questcdn.com. Documents may be downloaded for a non-refundable fee of $50 by entering Quest Project No. 7202367 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or ***info@questcdn.com*** for assistance and free membership registration. 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 August 3, 2020, at MAC's web address of ***http://www.metroairports.org/airport-authority/business-opportunities/solicitations*** (construction bids).

