MINNESOTA STATE REGISTER

MONDAY, SEPTEMBER 30, 2024

VOLUME 49, NUMBER 14

PAGES 353 - 372



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Withdrawn Rules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. 49 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)
#15	Monday 7 October	Noon Tuesday 1 October	Noon Thursday 26 September
#16	Monday 14 October	Noon Tuesday 8 October	Noon Thursday 3 October
#17	Monday 21 October	Noon Tuesday 15 October	Noon Thursday 10 October
#18	Monday 28 October	Noon Tuesday 22 October	Noon Thursday 17 October

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$13.50 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$81. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: https://mn.gov/admin/bookstore/register.jsp

- Minnesota State Register: Online subscription \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
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Senate Public Information Office

(651) 296-0504

State Capitol, Room 231, St. Paul, MN 55155 https://www.senate.mn/

Minnesota State Court System

Court Information Office (651) 296-6043

MN Judicial Center, Rm. 135,

25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155

http://www.mncourts.gov

Federal Register

(651) 296-2146

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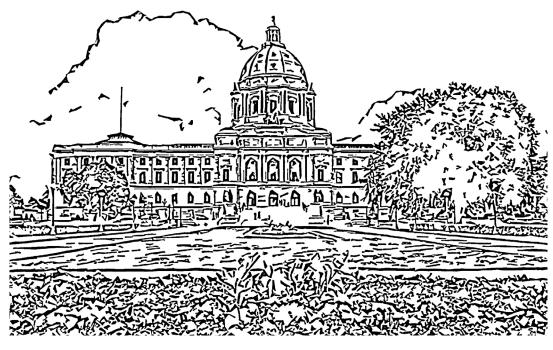
State Office Building, Room 175

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Front Cover Artwork: A dog, attempting to enjoy the last of summer, jumps off a dock to fetch a stick on Shallow Lake, near Nevis, Minn.

Photo by Sean Plemmons



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 the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

Volume 49 - Minnesota Rules

(Rules Appearing in Vol. 48 Issues #27-52 are in Vol. 48, #52 - Monday 24 June 2024) Volume 49, #14

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Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the State Register. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
 - (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
 - (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2024 Adjustments to Relative Value Fee Schedule Conversion Factors in Minnesota Rules, Chapter 5221

5221.4020 DETERMINING FEE SCHEDULE PAYMENT LIMITS.

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

Subp. 1b. Conversion factors and maximum fee formulas.

[For text of item A, see Minnesota Rules]

B. The conversion factors for services, articles, and supplies included in parts 5221.4030 to 5221.4061 are as provided in Minnesota Statutes, section 176.136, subdivision 1a, as follows:

[For text of subitems (1) to (12), see Minnesota Rules]

- (13) for dates of service from October 1, 2022, to September 30, 2023, the conversion factors are: [For text of units (a) to (c), see Minnesota Rules]
- (d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.00; and
 - (14) for dates of service from October 1, 2023, to September 30, 2024, the conversion factors are: [For text of units (a) to (c), see Minnesota Rules]
 - (d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.27-;

<u>and</u>

Exempt Rules

- (15) for dates of service from October 1, 2024, to September 30, 2025, the conversion factors are:
- (a) for medical/surgical services identified by procedure codes described in part 5221.4030, subpart 3: \$67.52;
- (b) for pathology and laboratory services identified by procedure codes described in part 5221.4040, subpart 3: \$61.39;
- (c) for physical medicine and rehabilitation services identified by procedure codes described in part 5221.4050, subpart 2d: \$60.64; and
 - (d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.54.

 [For text of subparts 1c to 4, see Minnesota Rules]

EFFECTIVE DATE. The amendments to part 5221.4020, subpart 1b, are effective for services provided on or after October 1, 2024.

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

Division of Financial Institutions

REQUEST FOR COMMENTS for Possible Rules Governing Virtual-currency Customer Disclosures, Minnesota Rules, 2675.8500 and 2675.8510; Revisor's ID Number R-04895

Subject of Rules. The Minnesota Department of Commerce requests comments on its possible rules governing virtual-currency customer disclosures. The Department is considering rules that will determine the time and form for required customer disclosures related to virtual currency business activity and additional disclosures reasonably necessary to protect consumers as required by Minnesota Statutes, sections 53B.72(a) and 53B.31, subd. 2. Possible rules will, at a minimum, address the following topics:

- (1) the point in time when disclosures must be given;
- (2) what constitutes a clear and conspicuous manner of disclosure;
- (3) the format required for disclosures;
- (4) the acknowledgment and receipt requirements of the disclosures; and
- (5) other topics related to virtual-currency customer disclosures as time allows.

Persons Affected. The rules would likely affect money transmitter licensees who conduct virtual-currency business activity, as well as customers who receive these disclosures.

Statutory Authority. Minnesota Statutes, section 53B.72(a), requires the Department to adopt rules for the time and form for disclosure. Minnesota Statutes, section 53B.31, subd. 2 also grants the Department authority to adopt regulations to implement Minnesota Statutes Chapter 53B.

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Official Notices

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing from September 30, 2024, until 4:30 p.m. on November 29, 2024. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules.

The Department is also interested in whether local governments might be required to adopt or amend an ordinance or other regulation to implement these rules and therefore requests that local governments provide us with relevant information about their ordinances.

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

Agency Contact Person. 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:

Mark Hastie
Minnesota Department of Commerce
85 7th Place East, St. Paul, MN 55101
Telephone number (651) 539-1720

Email address: mark.hastie@state.mn.us

Questions and written comments on the possible rules should be submitted via the Office of Administrative Hearings Rulemaking eComments website at *https://minnesotaoah.granicusideas.com/discussions*.

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: September 25, 2024

Mark Hastie, Non-Depository Director
Department of Commerce
Financial Institutions Division

Minnesota Management & Budget Budget Services Division Notice of Rate for Provider Tax Research Credit

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes* 295.53, Subdivision 4a and 4a(e), the research tax credit for companies subject to the gross earnings tax under *Minnesota Statutes* 295.52 shall be 0.5 percent of revenues for patient services used to fund expenditures for qualifying research conducted by an allowable research program in calendar year 2025.

For additional information, please call Josh Riesen, Executive Budget Coordinator, at (651) 201-8025.

Erin Campbell Commissioner

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Professional Educator Licensing and Standards Board

REQUEST FOR COMMENTS for Possible Permanent Rules Relating to School Counseling Programs and Licensure, *Minnesota Rules*, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number RD4703; Docket Number 21-9021-37950

Subject of Rules. The Professional Educator Licensing and Standards Board (PELSB) requests comments on its possible amendments to rules governing school counseling programs and licensure in Minnesota. The Board is considering rule amendments to:

- Require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation
 of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state
 approval through PELSB by meeting state-specific standards.
- Upon approval, allow providers to create a school counseling program tailored to candidates who already hold
 a master's degree, which would allow these candidates to be recommended for licensure as a school counselor
 without obtaining an additional master's degree;
- Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners;
 and
- Create a number of pathways by which a licensed school counselor, who holds a restricted license, would be
 able to expand the scope of their license to the full scope.

Persons Affected. The amendment to and repeal of existing rules would likely affect all school counseling preparation programs in Minnesota and the candidates completing those preparation programs, as well as the students and schools those candidates will eventually serve.

Statutory Authority. *Minnesota Statutes*, section 122A.09, subdivision 9, requires the Board to adopt rules to for teacher licensure, including relating to the grade levels a licensed educator may teach. *Minnesota Statutes*, section 122A.091, subdivision 1, requires the board to adopt rules to approve teacher preparation programs.

Public Comment. Interested persons or groups may submit proposals, comments, or information on the possible rules in writing or orally until 4:30 p.m. on December 6, 2024, to the agency contact person. The public is also advised that depending upon the comments received the PELSB may withdraw the proposed rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules. The public is welcomed and encouraged to comment and make proposals for the amendments.

Rules Drafts. The Board has drafted the possible rules amendments. A draft is available for review online at https://mn.gov/pelsb/board/rulemaking/school-counseling/.

Agency Contact Person. Written or oral comments, questions, rule proposals, and requests for more information on these possible rule changes should be directed to:

Steven Rollin, Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd E., Saint Paul, MN 55108
(651) 539-5991

PELSB.rules@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 Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If

Official Notices

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: September 30, 2024

Signed by: Dr. Yelena Bailey, Executive Director

Teachers Retirement Association Board of Trustees Notice of Special Meeting

Notice is hereby given that the Board of Trustees will hold a special meeting on Thursday, October 3, 2024 at 10:00 a.m. in Room 414. The purpose of the meeting will be for the board to determine the process for appointing the new executive director of the Teachers Retirement Association. The meeting will be held in the Teachers Retirement Association office at 60 Empire Drive, Room 414, Saint Paul, Minnesota, 55103. Board members may participate in the meeting by electronic means.

The public may monitor the meeting electronically from a remote site as set out on the Teachers Retirement Association's website, which can be found at *www.minnesotatra.org*.

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: https://mn.gov/admin/citizen/grants/

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

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

Department of Human Services

Contracts and Legal Compliance Division Notice of Changes to Grant Request for Proposal noticing in the State Register for the Department of Human Services

The Minnesota Department of Human Services (DHS) will no longer publish individual grant RFP notices to the State Register effective March 27, 2023. The RFPs and RFIs can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) website: https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/.

State Grants & Loans

The RFPs and RFIs do not obligate the State to complete the work contemplated in the respective notices. The State reserves the right to cancel solicitations. All expenses incurred in responding to the RFPs and RFIs 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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at https://mn.gov/admin/osp 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 Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$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.

Contact the Office of State Procurement at: (651) 296-2600

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: ADA Upgrades for Tunnel between Capitol Building to State Office Building (Cap-SOB) (RECS Project # 02CP0143) (SDSB Project # 24-15)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at https://mn.gov/admin/government/construction-projects/sdsb/projects/ (click SDSB Project #24-15).

A mandatory informational meeting will be held on <u>Tuesday</u>, <u>October 1, 2024</u>, at 1:00pm CT at the Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 [meet in first floor public access conference room 116C]. The meeting will include a tour of the proposed project areas and a review of the scope of work.

Any questions should be directed to Mrs. Heather Nelson at *heather.a.nelson@state.mn.us*. Project questions will be taken by this individual only. Questions regarding this RFP must be received by October 3, 2024, no later than 2:00 p.m. Central Time.

Proposals must be delivered to SDSB.Proposals.ADM@state.mn.us not later than Monday October 14, 2024, by **12:00 noon CT.** Late responses will not be considered.

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

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: New State Patrol Headquarters (RECS Project # 07XX0002) – (SDSB Project # 24-16)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at https://mn.gov/admin/government/construction-projects/sdsb/projects/ (click SDSB Project #24-16).

A mandatory informational meeting will be held on October 9, 2024, at 1:00 pm CT, virtually. Meeting access can be requested from Cindy Dillahunty *cindy.dillahunty@state.mn.us* by October 9, 2024, by 9:00 am.

Any questions should be directed to Mrs. Heather Nelson at *heather.a.nelson@state.mn.us*. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **October 14, 2024**, no later than **noon** Central Time.

Proposals must be delivered to *SDSB.Proposals.ADM@state.mn.us* not later than **Monday October 21, 2024, by 12:00 noon CT**. Late responses will not be considered.

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

Office of the Attorney General

Request For Qualifications For Outside Counsel Services Relating To: Defending Tort Claims Resulting From Motor Vehicle Accidents (Or Pursuing Related Subrogation Interests) On Behalf Of The State Of Minnesota, Primarily The Department Of Administration ("Department")

SUBMITTALS DUE BY 4:00 P.M. (Central time) on October 15, 2024

Please email submittals to RFQ.response@ag.state.mn.us

I. INTRODUCTION

The Department of Administration and the Attorney General's Office seeks to engage outside counsel to defend tort claims that arise out of motor vehicle accidents for the State.

The State of Minnesota is self-insured and therefore must defend itself from personal injury and wrongful death claims related to motor vehicle accidents. The State refers approximately 4-12 cases a year to outside counsel.

In order to ensure that the State is getting the highest quality legal service at the most reasonable rates, and that all law firms who wish to perform this work are able to compete for it, the AGO is issuing this RFQ as an open solicitation for all law firms to provide legal services in these tort claim matters. Ideally, the AGO would like to consolidate its work with one or two firms.

The review of qualifications and the possible engagement resulting from this RFQ may not be exclusive and the AGO reserves the right to assign defense work to more than one firm. In responding to this solicitation, it is understood by all proposers that the AGO and the reserves the right to select none, any, or all proposers whom the AGO deems to be in the State's best interest. The AGO is not required to submit this work to a competitive bidding process, nor must it retain the lowest bidder. Any possible engagement letter following this RFQ will depend on the proposals received in

response to this RFQ.

The anticipated engagement letter will be for a period of three years.

II. AGO CONTACT INFORMATION

This RFQ is being released by the AGO, which is also the sole point of contact during the review process. Any Special Attorney appointment[s] resulting from this RFQ will be administered by the AGO. The contract administrators are Marianne Ellis, Manager of Outside Counsel at the AGO, and Liz Kramer, Solicitor General. If additional information is necessary to interpret the requirements of this RFQ, please direct questions to *RFQ.response@ag.state.mn.us*.

III. CONDITIONS OF SUBMITTING RESPONSES

Proposers responding to this RFQ understand that the following conditions apply to any proposal:

- A. RESPONSE PREPARATION. The minimum qualifications stated in Section IV and the submission content stated in section V of this RFQ are mandatory. Failure by a respondent to respond to a specific requirement can be the basis for elimination from consideration during the comparative evaluation.
- B. RESPONSE SUBMISSION/ DEADLINE. Response(s) should be provided in Adobe (pdf) format and submitted by email to the address on the cover of this RFQ by no later than 4:00PM (Central Time) on **October 15**, **2024.** No responses submitted after this deadline will be accepted.
 - C. INCURRING COSTS. The AGO is not liable for any cost incurred by respondents in replying to this RFQ.
- D. ORAL INTERVIEWS AND FURTHER INFORMATION. While not planned at this time, the AGO reserves a right to schedule and conduct an oral interview with any or all the respondents to this RFQ. The AGO also reserves the right to request additional data or a presentation in support of any or all proposals at any time.
- E. PROPRIETARY INFORMATION. Any restrictions on the use of data contained within a response must be clearly stated in the response itself. Information deemed proprietary submitted in response to this RFQ will be handled in accordance with applicable State data practices law.
- F. ACCEPTANCE OF TERMS. The proposer has reviewed and understands the RFQ process and requirements as stated in this RFQ.
- G. CONTROL BY ATTORNEY GENERAL. The identified matter shall be strictly controlled by the Attorney General. The Attorney General shall retain control of all aspects of the representation.
- H. NO ENDORSEMENT. Selection as outside counsel does not constitute an endorsement by the State of Minnesota or the AGO. A chosen firm may not promote or advertise its designation without permission of the AGO.
- I. RESERVED RIGHTS. The AGO reserves the right to reject any and all proposals received in response to this RFQ when determined to be in the State's best interest, and to waive minor noncompliance in a proposal. The AGO further reserves the right to make such investigations as deemed necessary as to the qualifications of any and all firms submitting proposals in response to this RFQ. If all proposals are rejected or if the AGO, at any time, deems the number of qualified firms receiving designation on the Special Counsel Eligible List as the result of this RFQ to be insufficient to meet the potential needs for the identified matter, the AGO reserves the right to re-solicit proposals. Nothing in this RFQ is intended to limit or constrain the discretion of the AGO in exercising any authority, duty, prerogative, or power established or recognized by the Constitution, statutes, executive orders, regulations, case law, or other applicable law.
- J. FEES. Attorney fees and costs for the identified matter will be paid by Department of Administration. Proposals should include information concerning the hourly rates, fees, and costs of the proposer. Invoices must be submitted for review and approval on at least a monthly basis. Additional requirements and terms of payment will be negotiated prior to appointment of any proposer.

K. COSTS. Allowable costs will be determined by a retainer fee agreement and/or special attorney appointment.

IV. RFQ PROCESS AND REQUIRED QUALIFICATIONS

- A. MINIMUM QUALIFICATIONS. At a minimum, firms submitting a proposal in response to this RFQ should have substantial experience defending auto accident claims and should have not current anticipated conflict of interests with representation of the State in the matter.
- B. EVALUATION CRITERIA. Responses to this RFQ meeting the minimum qualifications will be evaluated based on the following criteria:
 - General Quality of Response
 - Qualifications of Firm Attorneys
 - Experience of Firm within Specific Area of Identified Matter
 - Fee proposal
 - Cost proposal
 - Minimum of Ethical and Business Conflicts

The AGO reserves the right to consider other factors if it deems the information relevant to the evaluation and selection process.

C. LEGISLATIVE ADVISORY COMMISSION APPROVAL MAY BE NEEDED. Proposers should be aware that Minn. Stat § 8.065 requires notice to the Legislative Advisory Commission of certain outside counsel hires, and the Commission has a right to make a recommendation on the hire.

V. SUBMITTAL CONTENT.

Responses must address all the questions and requests in this section. Please also include a cover letter with an executive summary of the proposal.

- A. CONTACT NAME. Name, phone number and email address of individual or individuals responsible for this RFQ response who may be contacted in the event of questions or notification. The proposer also should identify the individual who would be designated as the contact person with the AGO for billings and special attorney appointment[s] administration in the case of retention.
 - B. GENERAL FIRM QUALIFICATIONS. Provide or identify the following information about the firm:
 - 1. The firm's experience with defending auto accident cases or similar torts especially for public entities.
 - 2. The firm's hiring, training, retention, and advancing of traditionally underrepresented attorneys within their firm (including women, lawyers of color, and the LGBTQ+ community), especially in the area of the identified matter.
 - 3. Any agency or department of the State of Minnesota represented by the firm during the last five years. For each matter, provide the name of the State agency or department, and a description of the matter.
 - 4. The firm's professional liability insurance coverage. Specify the type of malpractice or errors and omissions insurance that the firm carries and the limits of coverage.
- C. QUALIFICATIONS AND EXPERIENCE OF PARTICULAR ATTORNEYS. The proposal should identify the specific attorneys likely to be assigned to perform the requested legal services. For each of these attorneys, provide or identify the following:
 - 1. A professional resume.
 - 2. Their experience handling matters in the area of the identified matter and other indications of expertise (writing articles, giving presentations, etc.)
 - 3. Hourly rate or example(s) of any other rates that you would like the AGO to consider (flat fee, capped/collared arrangements), and metrics for diligence of timely and accurate time entry.

D. ACTUAL OR POTENTIAL CONFLICTS OF INTEREST. State whether any attorneys within the firm represent any clients or interests adverse to any entity of the State, including lawsuits, administrative proceedings, other legal actions, or lobbying activities. Without violating your duty of confidentiality, the proposal should describe the nature of any such representation. The proposal also must indicate whether any other activities of the firm potentially pose a conflict of interest, or the appearance of a conflict of interest, in representation of the State in litigation of the identified matter. The firm should immediately advise the AGO in writing of any real or possible conflicts that arise after the submission of the proposal.

Minnesota State Colleges and Universities (Minnesota State) **Notice of Bid and Contracting Opportunities**

Minnesota State is now placing additional public notices for contract opportunities for goods and services on its Vendor and Supplier Opportunities website (https://www.minnstate.edu/vendors/index.html). Minnesota State may add new public notices to the website daily and post for the time 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 email the Minnesota State Procurement Unit at Sourcing@MinnState.edu.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University (WSU)

Request for Qualifications for Construction Manager at Risk (CM@risk) Services for the 2023 Center for Interdisciplinary Collaboration, Engagement & Learning (CICEL)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Winona State University, Winona, Minnesota, is seeking construction management services for demolition of two existing buildings and new construction of a net-zero energy building project. CICEL will seek the International Living Future Institute's Living Building Challenge Core Green Building and Zero Energy Certification and be the first net-zero energy facility in the Minnesota State System.

A full Request for Qualifications (RFQ) is available on the Minnesota State QuestCDN interface, https://qcpi.questcdn.com/cdn/posting/?projType=&group=70464&provider=70464

A mandatory informational meeting and tour is scheduled for 1:00 – 3:00 PM, Wednesday, October 2, 2024, in Oak Room #223/224 of the Krysko Commons, at Winona State University.

Proposals must be received electronically, through QuestCDN, not later than 12:00 Noon, Thursday, October 24, **2024.** Late responses will not be considered.

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

Minnesota Competency Attainment Board Request for Proposal for Salary Structure Benchmark and Compensation Study

The Minnesota Competency Attainment Board is using a competitive selection process to select a vendor to conduct a salary structure benchmark and compensation study.

The request for proposal does not obligate the MN Competency Attainment Board to award a contract or complete the project and we reserve the right to cancel the solicitation if it is in our best interest.

Interested vendor submissions shall be received by the Minnesota Competency Attainment Board no later than 11:59PM CST, October 11, 2024. Electronic proposal submissions may be sent to Allison Holbrook at *allison.holbrook@mncab.us* with the subject line titled: "Request for Proposal - Salary Structure Benchmark and Compensation Study". All written proposal submissions must be sent to the following address:

Allison Holbrook C/O RFP Proposal Minnesota Judicial Branch 25 Dr. Rev Martin Luther King Jr Blvd G-08 St. Paul, MN 55115

A complete copy of the Request for Proposal may be found on the Minnesota Competency Attainment Board website at www.mn.gov/cab.

Department of Employment and Economic Development (DEED) Notice of Request for Proposals (RFP) for Shovel Ready Program Consultant for the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development is soliciting proposals for the purpose of seeking a qualified contractor to prepare Shovel Ready Certification sites. The Request for Proposals (RFP) is available at: https://mn.gov/deed/about/contracts/

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Colleen Eddy, Metro Business Development Manager, at *colleen.eddy@state.mn.us*. Deadline for inquiries is October 2, 2024, at 4:30 p.m. Central Time. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Colleen Eddy, Metro Business Development Manager, Minnesota Department of Employment and Economic Development at *colleen.eddy@state.mn.us*. Proposals must be received NO later than **4:30** p.m. Central Time, October 14, 2024; late responses will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Minnesota Department of Transportation (MnDOT)

Office of Maintenance

Notice of Availability of Request for Qualifications (RFQ) for Construction Manager as Constructor for District 1 Virginia Headquarters Campus Redevelopment Project

The State of Minnesota (State), through its Department of Transportation, Office of Maintenance, Building Services Section, is requesting qualification proposals to evaluate and select a Construction Manager as Constructor for the MnDOT District 1 Virginia Headquarters Campus Redevelopment Project, in accordance with *Minnesota Statute 16C.34*.

A full RFQ is available on MnDOT's Consultant Services website at www.dot.state.mn.us/consult/notices.html. Project Name: "Request for Qualifications (RFQ) for Construction Manager as Constructor for District 1 Virginia Headquarters Campus Redevelopment Project". MnDOT Contract Number 1057391. To be considered for selection and a contract, response must be submitted by the date and time indicated in the RFQ. If you have any questions regarding this advertisement, or are having problems viewing the RFQ on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator Email: Ashley.duran@state.mn.us

A Mandatory Pre-Response Conference is scheduled for Tuesday October 1, 2024, at 11:00 AM CDT. An authorized representative from the Prime Respondent must attend this meeting. Failure to attend will eliminate Respondent from consideration.

Respondents are not required to declare their status as potential construction managers at the time of the Pre-Response Conference. Attendance at this conference does not require a qualifications submission.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate MnDOT to complete the work contemplated in this notice, and MnDOT reserves the right to cancel this RFQ. All expenses incurred in responding to this notice shall be borne by the responder.

Note: RESPONSES WILL BE DUE ON OCTOBER 15, 2024, AT 2:00PM CENTRAL TIME.

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: https://mn.gov/admin/osp as well as the Office of Grants Management (OGM) at: https://mn.gov/admin/citizen/grants/.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Electrical & Ground Power Substation Replacement

Airport Location: Minneapolis-St. Paul International Airport

Project Name: 2024 Electrical & Ground Power Substation Replacement

MAC Contract No.: 106-2-1047

Bids Close At: 2:00 PM on October 15, 2024 Bid Opening Conference Call: 3:00 PM on October 15, 2024

Teleconference Dial In #: 1-612-405-6798 Conference ID #: 897 927 742#

Notice To Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (*https://metroairports.org/doing-business/solicitations*) to receive email notifications of new business opportunities.

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

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

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

Availability Of Construction Documents: Plans and specifications are available at QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN* website. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDocTM #9315068 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

Non-State Public Bids, Contracts & Grants —

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 23, 2024, at MAC's web address of *https://metroairports.org/doing-business/solicitations* (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2024 GO/Campus Building Rehab & Emergency

Communication Center Updates

Airport Location: Minneapolis-St. Paul International Airport

Project Name: 2024 GO/Campus Building Rehab & Emergency Communication Center

Updates

MAC Contract No.: 106-3-702

Bids Close At: 2:00 PM on October 15, 2024 Bid Opening Conference Call: 3:00 PM on October 15, 2024

Teleconference Dial In #: 1-612-405-6798 Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (*https://metroairports.org/doing-business/solicitations*) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is <u>13%</u>.

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

Availability of Bidding Documents: Bidding documents are available for inspection at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at *https://www.questcdn.com*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9281948 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of *https://metroairports.org/doing-business/solicitations* (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Sump Pump Controls

Airport Location: Minneapolis-St. Paul International Airport – Terminal 1

Project Name: 2024 Sump Pump Controls

MAC Contract No.: 106-3-686

Bids Close At: 2:00 PM on October 15, 2024 Bid Opening Conference Call: 3:00 PM on October 15, 2024

Teleconference Dial In #: 1-612-405-6798 Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (*https://metroairports.org/doing-business/solicitations*) to receive email notifications of new business opportunities.

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

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

Availability of Bidding Documents: Bidding documents are at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN* website. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9206291 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of *https://metroairports.org/doing-business/solicitations* (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Runway 12R-30L Glycol Forcemain Environmental Improvements

Airport Location: Minneapolis-St. Paul International Airport

Project Name: 2024 Runway 12R-30L Glycol Forcemain Environmental Improvements

MAC Contract No.: 106-1-359

Bids Close At: 2:00 PM on October 15, 2024 Bid Opening Conference Call: 3:00 PM on October 15, 2024

Teleconference Dial In #: 1-612-405-6798 Conference ID #: 897 927 742#

Non-State Public Bids, Contracts & Grants —

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via QuestCDN's website until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (https://metroairports.org/doing-business/solicitations) to receive email notifications of new business opportunities.

Targeted Group Businesses: (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 13%.

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 at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN* website. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9315062 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of https://metroairports.org/doing-business/solicitations (construction bids).



