



Minnesota
STATE COLLEGES
& UNIVERSITIES

MINNESOTA STATE

Saint Paul College

Health Science Alliance Center

**REQUEST FOR QUALIFICATION (RFQ) FOR
PUBLIC ART DESIGN AND COMMISSION**

Exterior Spaces

January 30, 2017

SPECIAL NOTE: This Request for Qualifications (RFQ) does not obligate the Minnesota State Colleges and Universities system, hereinafter referred to as “Minnesota State”, its Board of Trustees, or Saint Paul College to award a contract or complete the proposed project and each reserves the right to cancel this RFQ if it is considered to be in its best interest. Proposals must be clear and concise. Proposals that are difficult to follow or that do not conform to the RFQ format may be rejected. Responding vendors must include the required information called for in this RFQ. Minnesota State reserves the right to reject a proposal if required information is not provided or is not organized as directed. Minnesota State also reserves the right to change the evaluation criteria or any other provision in this RFQ by posting notice of the change(s) on Saint Paul College’s website, www.saintpaul.edu. For this RFQ, written questions or communications regarding this RFQ shall be submitted via email and shall include the name of the questioner and their telephone number, fax number and e-mail address. Addendum to the RFQ will be posted on Saint Paul College’s website, www.saintpaul.edu. Vendors should acknowledge receipt of any addendum when submitting a proposal.

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Attachments:

1. Affidavit of Non-Collusion
2. Disabled Individual Clause
3. Veterans-Owned/Service Disabled Veteran-Owned Preference Form

Section I: Introduction

The **Minnesota State** is the fifth-largest higher education system in the U.S. and is comprised of 32 two-year and four-year state colleges and universities with 53 campuses located in 46 Minnesota communities. **Minnesota State** colleges and universities serve about 250,000 students in credit-based courses and produce about 34,000 graduates a year.

Saint Paul College a new Health Science Alliance Center on the campus which consists of over 37,000 sf of science labs and classrooms designed to serve the Health Sciences students and faculty.

The **Minnesota State** Board of Trustees, on behalf of **Saint Paul College**, hereafter referred to as the “Owner,” is soliciting statements of qualifications from interested, qualified artists, and intends to retain a professional artist/s to provide Art Design and Commissioning. A Public Art Committee is overseeing the art selection process.

The Owner will evaluate responses to the Request for Qualification (RFQ) in accordance with criteria set forth in Section IV of this RFQ. Respondents, whose proposed qualifications demonstrate, in the Owner’s sole opinion, the qualifications that best fulfill the purposes of this RFQ, will receive a Request for Proposal (RFP).

1.1 Summary

RFQ submittals must be delivered to

Location: Saint Paul College
Name: Scott Wilson
Title: Vice President of Finance & Facilities
Address: 235 Marshall Avenue
St. Paul, MN 55102
Phone: 651-846-1694

no later than 3:00 p.m., February 21, 2018. Late Responses will not be considered.

1.2 Purpose of this Request for Qualification (RFQ)

The purpose of this RFQ is to evaluate and select a group of qualified artists to design and commission an original piece of artwork to be located on the interior portion of the Main Entrance to the newly constructed Health Science Alliance Center (HSAC) addition on the Saint Paul College campus at the above referenced Marshall Avenue location.

The Owner reserves the right to accept or reject proposals, in whole or in part, and to negotiate separately as necessary to serve the best interests of the Owner. The RFQ will not obligate the Owner to award a contract or complete the proposed project and the Owner reserves the right to cancel the RFQ if this action is considered to be in the Owner’s best interest. This RFQ is undertaken by the Owner pursuant to the authority contained in provisions of Minnesota Statutes §16B.35, 136F.06, 136F.581, and other applicable laws.

Evaluation of RFQ respondents’ proposals will be conducted by a committee consisting of a minimum of five (5) persons representing students, faculty and staff, and the architect. RFQ respondent’s proposal will be evaluated with criteria and point scale described within the RFQ. The evaluation may include interviews with Respondents and requests for additional information and will focus on the specifics of the respondent’s proposal and approach.

1.3 General Description of Project

The Health Science Alliance Center project consists of over 37,000 square feet of new construction that includes four large science laboratories, several classrooms, a huge simulations center, and several small project rooms. The facility features a beautifully designed and constructed main entrance space that is visible from the exterior and is seen as a three-story structure.

The Public Art project will consist of the creation and installation of a primary work that will be installed on the exterior space of the building possibly near the entrance of the new facility and be highly visible upon entering the facility so as to be seen by the public as well as our students, staff, and faculty as they enter the College.

The Art Committee desires that the theme of the art be directed toward celebrating and emphasizing the diversity of our College and Student Body. The committee wants to entertain several possibilities that we believe the artist will bring to the table for consideration. The committee feels that consideration be given to the fact that it is an exterior location and therefore the materials used should have the ability to be maintained and obviously withstand the four seasons of Minnesota. Once an artist/s has been selected various themes may be explored.

It is expected that the public art design process will begin immediately after contract award and that installation will be as soon as the artwork is completed, but not later than **December 15, 2018**.

1.4 Project Budget and Fees

The estimated total Project cost is **\$60,000**. This cost includes: all professional consultants, artist stipends, artist fees and reimbursable expenses, site investigations and surveys, insurance, labor of the Artist and Artist's assistants, studio and operating costs, all materials, installation, applicable sales tax, rental equipment, and inflation factors. It also includes travel costs to visit and research site, and supervise installation.

Final contract amount will be negotiated with the selected artist.

1.5 Selection and Implementation Timetable

The following is the Owner's intended schedule for the RFQ, RFP, and procurement process to obtain an Artist. The Owner reserves the right to modify this schedule if necessary.

| | |
|--|-------------------------------------|
| RFQ Release Date | February 5, 2018 |
| RFQ Questions Due | 3:00 p.m., February 15, 2018 |
| RFQ Questions Answered | February 16, 2018 |
| Deadline for RFQ Packet Submission | 3:00 p.m., February 21, 2018 |
| Select Artists to receive RFP | February 23, 2018 |
| Deadline for RFP Proposal Submissions | 3:00 p.m. March 7, 2018 |
| Interviews for RFP proposals | March 12, 2018 |
| Select Artist/s to develop Concept Design (if applicable) | March 14, 2018 |
| Presentation of Concept Design by Selected Artist/s | to be determined |
| Anticipated Contract Award Date | to be determined |

1.6 Contract

A contract or any part hereof entered into as a result of this RFQ and future RFP shall not be assigned,

sublet, or transferred directly or indirectly without prior written consent of **Minnesota State**. A written contract and any modifications or addenda thereto, executed in writing by both parties constitutes the entire agreement of the parties to the contract. The Artist scope of services will be based upon Form MnSCU 180. The successful Respondent will be required to enter into this contract. A sample of this contract form can be found at the following URL: http://www.finance.minnstate.edu/facilities/design-construction/pm_emanual/index.html

Section II: RFQ Responses

2.1 General Information

Proposals that are difficult to follow or that do not conform to the RFQ format or binding specifications may be rejected. Respondents must include required information called for in this RFQ. The Owner reserves the right to reject a proposal if required information is not provided or is not organized as directed. The Owner reserves the right to change the evaluation criteria or any other provision in this RFQ provided all vendors are notified of the change.

This RFQ does not obligate the Owner to award a contract or complete the project, and the Owner reserves the right to cancel the solicitation if it is considered to be in its best interest.

- A. This document, including attachments, constitutes a formal Request for Qualification (RFQ) and is a competitive procurement. Therefore, the Respondent shall carefully follow the instructions herein in order to be considered fully responsive to the RFQ. The Owner reserves the right to reject a proposal that is determined to be incomplete or which does not follow the required structure and format. However, when such statements, omissions or deviations are innocent or inadvertent in the opinion of the Owner, the Owner further reserves the right to waive them as informalities.
- B. Proposals are to be sealed in mailing envelopes or packages with the Responder's name and address clearly written on the outside. Proposals submit be submitted with the envelope or packaging plainly marked on the outside: "**STATEMENT OF QUALIFICATIONS FOR ART DESIGN AND COMMISSIONING for the Health Science Alliance Center PUBLIC ART PROGRAM.**" The proposal must be signed in ink by an authorized member of the company. Proof of authority of the person signing shall be furnished upon request. All costs incurred by a Responder in replying to this RFQ shall be borne by the Responder.

Notwithstanding anything to the contrary, the Owner reserves its right to:

1. Reject any and all proposals received in response to this RFQ.
2. Select any proposal for contract negotiation.
3. Waive or modify any informalities, irregularities, or inconsistencies in proposals received and/or accept a late written modification requested by the Owner if the proposal itself was submitted on time and if the modified proposal is more favorable to the Owner.
4. Approve sub-consultant(s) used by a Respondent.
5. Negotiate any aspect of the proposal with any Respondent and negotiate with more than one (1) Respondent at the same time.
6. If negotiations fail to result in an agreement, terminate negotiations and select the next most responsive Respondent, prepare and release a new RFQ, or take such other action as the Owner deems appropriate.
7. Select more than one Respondent.
8. The Owner's evaluation process may include interviews with some Respondents who have been short-listed after previous review of proposal documents.

- C. Responders may propose additional tasks, activities, or alternative suggestions if they will substantially improve the results of the project. These items shall be separated from the required items on the proposal and shall be described fully on the Respondent's letterhead stationery, signed and attached to the proposal submittal page(s) where relevant. In the absence of such statement, the Respondent shall be deemed to have accepted all such terms, conditions, specifications and the manner of the RFQ. A Respondent's failure to raise an issue related to the terms, conditions, specifications or manner of this RFQ prior to the proposal submission deadline in the manner described shall constitute a full and final waiver of that Respondent's rights to raise the issue later in any action or proceeding relating to this RFQ.

2.2 Information Contact

The Owner's agent for purposes of responding to inquiries about the RFQ is:

Name: Scott Wilson
Title: Vice President of Finance & Facilities
Address: Saint Paul College
235 Marshall Avenue
St. Paul, MN 55102
Email: scott.wilson@saintpaul.edu
Phone: 651.846.1694

Other persons are not authorized to discuss RFQ requirements before the proposal submission deadline and the Owner shall not be bound by and Responders may not rely on information regarding RFQ requirements obtained from non-authorized persons.

Requests for information or clarification by Respondents must be received no later than **3:00 p.m., Thursday, February 15, 2018**. Written questions or communications with the Owner regarding this RFQ must be submitted via email and shall include the name of the questioner, their firm name, and their telephone number, fax number and email address. **When emailing questions, please include the following in the subject line: "RFQ question from (Artist's name).**

All questions must be emailed only to VP Scott Wilson scott.wilson@saintpaul.edu, by the deadline listed above. Responses will be posted on the Saint Paul College website: www.saintpaul.edu.

If appropriate, a change responding to such a request may be issued by the Owner in the form of an addendum to the RFQ. No other communications shall be of any effect in changing or amending this RFQ.

From the date of release of this RFQ until a Respondent is selected and a contract executed, Respondents must not communicate with the Owner's staff concerning the RFQ except through the Owner Contact pursuant to the procedure described in the RFQ. If any Respondent attempts any unauthorized communication, the Owner may reject that Respondent's proposal.

2.3 Proposal Delivery

In order to be considered for selection, sealed statements of qualifications must be received at the address identified above and time stamped by the Owner no later than **3:00 p.m., Wednesday, February 21, 2018**. All proposals must be sent to and received by: **VP Scott Wilson as noted above.**

Late Responses will not be considered.

Proposals must be submitted in sealed mailing envelopes or packages with the envelope or packaging plainly marked on the outside: “**STATEMENT OF QUALIFICATIONS FOR ART DESIGN AND COMMISSION FOR HEALTH SCIENC ALLIANCE CENTER PROGRAM**” and Responder’s name and address must clearly be written on the outside. Submission by fax, email or other electronic transmission is unacceptable and proposals submitted by these means will not be considered. The Owner assumes no responsibility for delays in the US mail or courier systems, or because of weather.

A Respondent's response received after the deadline will not be accepted or considered. Receipt by the Owner of a proposal received after the closing date and time as stated herein shall not be construed as acceptance of the proposal. Late proposals will be logged as to date/time received and thereafter returned to the late Respondent.

If delivery of the proposal is not made by courier or in person, the use of certified or registered mail is suggested. Note: Use of certified or registered mail does not relieve the Respondent of the responsibility ensure the proposal is date/time stamped as specified above.

2.4 Proposal Preparation

A. Quantities

Each Respondent shall provide, on 8 ½ x 11-inch paper, **one (1)** signed original copy of its entire proposal including all attachments. Further, **one (1)** electronic copy either on a CD or a flash drive in .pdf format is required. Submissions shall be sealed in mailing envelopes or packages with the Responder’s name and address clearly written on the outside.

B. Binding

All copies of proposals shall be submitted with one staple in the upper left hand corner. No three-ring binders, edge binding or plastic inserts allowed. All pages must be sequentially numbered.

C. Transmittal Cover Letter

Include a cover letter on the Responder’s official business letterhead. The letter shall transmit the proposal, identify all materials being forwarded collectively as a response to this RFQ, and shall be signed by an individual authorized to commit the Responder to the scope of work proposed. Proof of authority of the person signing must accompany the proposal.

D. Format

The qualifications submission body shall be submitted in 8 ½ x 11 format. **The entire proposal cannot exceed twenty (20) pages including the transmittal letter, but excluding mandatory attachments.** That means ten (5) double sided or ten (10) single sided pages.

E. Proposal Content

The minimum contents of the proposal are as follows:

1. A statement that the Respondent is not currently debarred or suspended by federal government, the State of Minnesota or any of its departments or agencies or another government entity.

2. Artist's Biography. Include an outline of the Responder's background and experience with particular emphasis on local, state, and federal government work. Include identification of personnel to conduct the project, with details on training and work experience.
3. Identification and description of the deliverables to be provided by the Responder.
4. Past Experience with Similar Works. Include a brochure, photographs or similar information showing at least one (1) similar installation. If Responder has a website with additional information, provide website address.
5. Three references from similar projects. Include name of contact, title, telephone number, location and description of project including project size and cost.
6. Required Attachments
 - a. Affidavit of Non-Collusion
 - b. Disabled Individual Clause
 - c. Veterans-Owned/Service Disabled Veteran-Owned Preference Form (if applicable)

2.5 Duration of Offer

Proposals submitted in response to this solicitation are irrevocable for 60 days following the due date of the proposals. This period may be extended by written agreement between Responder and the Owner.

Section III: Scope of Services

3.1 Selected Finalists' Concept Proposals

1. After interviews of the Short-Listed Finalists, Owner may request two or three artists to provide a preliminary Concept/Design Proposal or just select a single artist.
2. Preliminary Concept/Design Proposal – The preliminary concept/design stipend for the model(s) and drawings(s) will not exceed \$800 and the stipend shall include materials; applicable sales tax; labor of the Artist and the Artist's assistants; studio and operating costs applicable to this project; insurance; travel costs for the artist to visit and research the site. The design proposal will be presented to Owner.
3. Preliminary Concept/Design Proposal shall consist of the following:
 - Drawing or model to convey a meaningful representation of the design concept.
 - Estimated timeline for design and installation.
 - Anticipated budget for total project: Final Concept/Design Proposal fee, any consultant fees, material, suppliers and production cost, installation cost, travel and lodging costs, general conditions such as insurance, shipping, documents costs, plaque, office, expenses, etc.
4. Final selection of the Artist will be made after presentations of the Preliminary Concept/Design Proposals to the Public Art Committee for the College.

3.2 Artist Duties and Responsibilities after Contract Award:

1. FINAL Concept/Design Proposal – The Artist is first required to finalize the concept design proposal. The design proposal must be presented to Owner at a formal meeting of the Art Team at Saint Paul College.
2. Commission of the Work – Once the concept/design proposal has been accepted, the Owner will inform the Artist and the process proceeds into the production of the commissioned work.
3. Coordinate major elements of design and/or construction with the campus’ schedules and activities to minimize disruptions.
4. Provide for the design, fabrication, and installation of the public notice plaque in an area appropriate for identification.

3.3 Documentation and Records:

1. A written technical description of the Work, any blueprints regarding installation, any special installation instruction such as suspension or foundation requirements, and any maintenance instructions or recommendations.
2. The completed Timeline/Budget Final Report form.
3. Ten professional quality digital photos of the Work during production and after installation for archival records.
4. Two 8x10 black and white glossy photographs of the Work.
5. A full written narrative description of the Work.
6. An updated resume of the Artist.

Section IV: Proposal Evaluation

4.1 General

All proposals received by the deadline noted above will be evaluated by an Owner’s committee composed of a minimum of three persons. RFQ Respondent’s proposal will be evaluated with criteria and point scale described within the RFQ and selections of the Respondents to receive the RFP will be made.

In some instances, an interview may be part of the evaluation process. The Owner reserves the right to name a date at which all or selected Respondents will be invited to present demonstrations and/or participate in an interview. The Owner does not agree to reach a decision by any certain date; however, it is hoped that the evaluation and selection will be completed within 45 business days after the RFQ deadline.

General criteria upon which proposals will be evaluated include, but are not limited to, the following:

1. Completeness, detail, and thoughtfulness of response as reflected by proposal coverage of all elements of work listed in Section II.

2. Experience of the Responder in public art within similar spaces.
3. Appropriateness of past work to **Minnesota State** needs

The criteria described below, based upon the point scale, will be used to evaluate Respondents' proposals. The evaluation may include requests for additional information and will focus on the specifics of the Respondent's response to the RFQ and approach.

1. **ARTIST'S BIOGRAPHY – 20 points**

The Responder shall submit a biography of past art works. Factors favorable to a Responder will be:

- a. Stability of the Responder's greater length of experience that would contribute to the Responder's performance on this work.
- b. Responder's participation in higher education public art projects.
- c. Responder's qualifications and current abilities to produce an outstanding example of Public Art that meets the artistic intent of the College.

2. **ARTIST'S STATEMENT – 30 points**

The Responder shall provide a description how the artist works, what materials are used, what processes are employed, what constraints the Artist has, etc.

3. **PAST EXPERIENCE WITH SIMILAR WORKS – 50 points**

The Responder shall provide a summary of its experience with similar area and scope of the Work of this RFQ. Include the Work name, location, dates completed, brief description, size and value of each.

4. **REFERENCE TO TARGETED GROUP, ECONOMICALLY DISADVANTAGED & SERVICE OWNED/SERVICE DISABLED VETERAN-OWNED BUSINESSES & INDIVIDUALS - 4 or 6 points**

Preference to Targeted Group and Economically Disadvantaged Business and Individuals. In accordance with Minnesota Rules, part 1230.1810, subpart B and Minnesota Rules, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as construction manager shall receive the equivalent of a six (6) points preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as construction managers shall receive the equivalent of a four (4) points preference in the evaluation of their proposal. Eligible TG businesses must be currently certified by the Materials Management Division prior to the solicitation opening date and time. For information regarding certification, contact the Materials Management Helpline at 651.296.2600, or you may reach the Helpline by email at mmdhelp.line@state.mn.us. For TTY/TDD communications, contact the Helpline through the Minnesota Relay Services at 1.800.627.3529.

Veteran-owned/Service Disabled Veteran-Owned Preference. In accordance with Laws of Minnesota, 2009, Chapter 101, Article 2, Section 56, eligible certified veteran-owned and eligible certified service-disabled veteran-owned small businesses will receive a six (6) points preference in the evaluation of their proposal.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses should complete the Veteran-Owned/Service Disabled Veteran-Owned Preference Form in this solicitation, and include the required documentation. Only eligible, certified, veteran-owned/service disabled small businesses that provide the required documentation, per the form, will be given the preference.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses must be **currently** certified by the U.S. Department of Veterans Affairs prior to the solicitation opening date and time to receive the preference.

Section V: General Requirements

5.1 Owner's Right to Amend RFQ

The Owner reserves the right to amend any segment of the RFQ prior to its announcement of a successful Respondent and award of contract. If a change occurs in Owner's requirements resulting in a decision to modify the RFQ scope of work or statement of requirements, such change will be communicated in writing as an addendum to the RFQ provided to all prospective Responders on the official Respondent list. In such an event of a change, all Respondents will be afforded the opportunity to revise their proposals to accommodate the RFQ amendment.

Any addenda to this RFQ will be sent by the Owner to Respondents by mail or email. Respondents will be responsible for meeting the requirements of all addenda and will be required to acknowledge receipt of all addenda on the RFQ proposal form.

To receive addenda and other information pertaining to this RFQ, all Respondents must ensure they are on the Owner's official lists of Respondents and must designate a single mailing and/or email address for all such mailings.

5.2 Affidavit of Non-Collusion

Each Responder must complete the attached Affidavit of Non-Collusion (**Attachment 1**) and include it with the proposal. Failure to submit a correctly executed Affidavit of Non-Collusion shall be grounds for rejection of a vendor's response to this RFQ.

5.3 Insurance Requirements

The selected vendor will be required to submit an ACORD form Certificate of Insurance to **Minnesota State** prior to execution of the contract.

5.4 State Audit

The books, records, documents and accounting practices and procedures of the vendor relevant to the contract(s) shall be available for audit purposes to **Minnesota State** and the Legislative Auditor's Office for six (6) years after the termination/expiration of the contract.

5.5 Conflicts of Interest

A Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this RFQ. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

5.6 Disposition of Responses

All materials submitted in response to this RFQ will become property of **Minnesota State** and will become public record in accordance with Minn. State. §13.591 after the evaluation process is

completed and an award decision is made. All materials submitted by responders are subject to the provisions of Minnesota Statutes section 13.591, subd. 3(b), which reads as follows:

Data submitted by a business to a government entity in response to a request for proposal, as defined in section [16C.02](#), subdivision 12, are private or nonpublic until the responses are opened. Once the responses are opened, the name of the responder is read and becomes public. All other data in a responder's response to a request for proposal are private or nonpublic data until completion of the evaluation process. For purposes of this section, "completion of the evaluation process" means that the government entity has completed negotiating the contract with the selected vendor. After a government entity has completed the evaluation process, all remaining data submitted by all responders are public with the exception of trade secret data as defined and classified in section [13.37](#). A statement by a responder that submitted data are copyrighted or otherwise protected does not prevent public access to the data contained in the response. If all responses to a request for proposal are rejected prior to completion of the evaluation process, all data, other than that made public at the response opening, remain private or nonpublic until a re-solicitation of the requests for proposal results in completion of the evaluation process or a determination is made to abandon the purchase. If the rejection occurs after the completion of the evaluation process, the data remain public. If a resolicitation of proposals does not occur within one year of the proposal opening date, the remaining data become public.

5.7 Contingency Fees Prohibited

Pursuant to Minnesota Statutes Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

ATTACHMENT 1

MINNESOTA STATE COLLEGES AND

UNIVERSITIES AFFIDAVIT OF NON-COLLUSION

I hereby swear (or affirm) under the penalty of perjury:

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation);
2. That the attached *Proposal* covering the order for: Art Design & Commission has been arrived at by the independently and has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the Request for *Qualification* designed to limit independent quoting or competition;
3. That the contents of the Request for *Qualification* have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder or its surety on any bond furnished with the Request *for Qualification* and will not be communicated to any such person prior to the official opening of the Request for *Qualification*; and
4. That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____

Company Name: _____

Subscribed and sworn to me this ____ day of _____, 20____. Notary Public

My commission expires _____, 20____.

PUR009.doc
5/15/00

ATTACHMENT 2

DISABLED INDIVIDUAL CLAUSE

A. A vendor shall not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The vendor agrees to take disabled individuals without discrimination based on their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection of training, including apprenticeship.

B. The vendor agrees to comply with the rules and relevant order of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

C. In the event of a vendor's noncompliance with the requirements of this clause, actions for noncompliance may be taken by the Minnesota Department of Human Rights pursuant to the Minnesota Human Rights Act.

D. The vendor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Commissioner of the Minnesota Department of Human Rights. Such notices shall state the vendor obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment and the rights of applicants and employees.

E. The vendor shall notify each labor union or representative of workers with which it has a collective bargaining agreement or other order understanding, that the vendor is bound by the terms of Minnesota Statutes §363A.36 of the Minnesota Human Rights Act and is committed to take affirmative action to employ and advance in employment physically and mentally disabled individuals.

It is hereby agreed between the parties that Minnesota Statutes §363A.36 and Minnesota Rules 5000.3400 to 5000.3600 are incorporated into any order of Minnesota Statutes §363A.36 and Minnesota Rules, 5000.3400 to 5000.3600 are available from Minnesota Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

By signing this statement, the vendor certifies that the information provided is accurate.

NAME OF COMPANY: _____

AUTHORIZED SIGNATURE: _____

TITLE: _____

DATE: _____

ATTACHMENT 3

VETERAN-OWNED/SERVICE DISABLED VETERAN-OWNED PREFERENCE FORM

In accordance with Laws of Minnesota, 2009, Chapter 101, Article 2, Section 56, eligible certified veteran-owned and eligible certified service-disabled veteran-owned small businesses will receive a 6 percent preference in the evaluation of their proposal.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses include certified small businesses that are majority-owned and operated by either (check the box that applies and attach the certification documents required with your response to this solicitation):

- (1) recently separated veterans, who are veterans as defined in Minn. Stat. §197.447, who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the Commissioner of Veterans Affairs; or

Required Documentation:

- certification by the United States Department of Veterans Affairs as a veteran-owned small business
- discharge form (DD-214) dated on or after September 11, 2001 with condition honorable

- (2) veterans who are veterans as defined in Minn. Stat. § 197.447, with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs.

Required Documentation:

- certification by the United States Department of Veterans Affairs as a service-disabled veteran-owned small business.

Eligible veteran-owned and eligible service-disabled veteran-owned small businesses must be **currently** certified by the U.S. Department of Veterans Affairs prior to the solicitation opening date and time to receive the preference.

Information regarding certification by the United States Department of Veterans Affairs may be found at:

<http://www.vetbiz.gov>

You must submit this form and the documentation required above with your response in order to be considered for this preference.