

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2718

(SENATE AUTHORS: TOMASSONI)

DATE
03/27/2019

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OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act
1.2 relating to state government; changing project amount threshold for state agencies
1.3 required to request a primary designer for a project; amending Minnesota Statutes
1.4 2018, section 16B.33, subdivisions 3, 3a, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 16B.33, subdivision 3, is amended to read:

1.7 Subd. 3. **Agencies must request designer.** (a) **Application.** Upon undertaking a project
1.8 with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with
1.9 estimated fees greater than ~~\$200,000~~ \$400,000, every user agency, except the Capitol Area
1.10 Architectural and Planning Board, shall submit a written request for a primary designer for
1.11 its project to the commissioner, who shall forward the request to the board. The University
1.12 of Minnesota and the Minnesota State Colleges and Universities shall follow the process
1.13 in subdivision 3a to select designers for their projects. The written request must include a
1.14 description of the project, the estimated cost of completing the project, a description of any
1.15 special requirements or unique features of the proposed project, and other information which
1.16 will assist the board in carrying out its duties and responsibilities set forth in this section.

1.17 (b) **Reactivated project.** If a project for which a designer has been selected by the board
1.18 becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations,
1.19 or other reasons, the commissioner, the Minnesota State Colleges and Universities, or the
1.20 University of Minnesota may, if the project is reactivated, retain the same designer to
1.21 complete the project.

1.22 (c) **Fee limit reached after designer selected.** If a project initially estimated to be below
1.23 the cost and planning fee limits of this subdivision has its cost or planning fees revised so

2.1 that the limits are exceeded, the project must be referred to the board for designer selection
2.2 even if a primary designer has already been selected. In this event, the board may, without
2.3 conducting interviews, elect to retain the previously selected designer if it determines that
2.4 the interests of the state are best served by that decision and shall notify the commissioner
2.5 of its determination.

2.6 Sec. 2. Minnesota Statutes 2018, section 16B.33, subdivision 3a, is amended to read:

2.7 Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the
2.8 Minnesota State Colleges and Universities undertakes a project involving construction or
2.9 major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost
2.10 greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than
2.11 ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the
2.12 commissioner, as provided in subdivision 3.

2.13 (b) When the University of Minnesota or the Minnesota State Colleges and Universities
2.14 undertakes a project involving renovation, repair, replacement, or rehabilitation, the system
2.15 office may submit a written request for a primary designer to the commissioner as provided
2.16 in subdivision 3.

2.17 (c) For projects at the University of Minnesota or the State Colleges and Universities,
2.18 the board shall select at least two primary designers under subdivision 4 for recommendation
2.19 to the Board of Regents or the Board of Trustees. Meeting records or written evaluations
2.20 that document the final selection are public records. The Board of Regents or the Board of
2.21 Trustees shall notify the commissioner of the designer selected from the recommendations.

2.22 Sec. 3. Minnesota Statutes 2018, section 16B.33, is amended by adding a subdivision to
2.23 read:

2.24 Subd. 3b. **Rate of inflation.** Beginning December 31, 2024, and by December 31 of
2.25 every fifth year thereafter, the commissioner, in consultation with the commissioner of
2.26 management and budget, shall determine the percentage increase in the rate of inflation, as
2.27 measured by the Means Quarterly Construction Cost Index, during the five-year period
2.28 preceding that year. The thresholds in subdivisions 3, paragraph (a), and 3a, paragraph (a),
2.29 shall be increased by the percentage calculated by the commissioner to the nearest \$100,000.