

Form 5 – Compliance with Laws, Rules and Regulations

Point Source Implementation grantees are required to comply and ensure their contractor(s) comply with certain state laws, rules and regulations including but not limited to those described below which will be invoked as a condition of the grant.

1. Minnesota Statutes, Section 16B.31, subdivision 2 requires that all project funding be in place prior to execution of grant agreement.
2. Minnesota Statutes, Section 471.345 Uniform Municipal Contracting Law.
3. Minnesota Statutes, Section 574.26 to 574.32, the Public Contractors' Performance and Payment Bond Act, as applicable.
4. Minnesota Statutes, Chapter 16C.285, as amended. Responsible Contractor Requirements. Solicitation documents must include the specified language for contracts, debarment checks of contractors.
5. Minnesota Statutes, Chapter 16A.695, State Bond Financed Property.
6. Minnesota Statutes 16C.16, subd 13, Promote Use of Targeted Businesses.
7. Minnesota Statutes, Chapter 13, the Minnesota Government Data Practices Act.
8. Minnesota Statutes, Section 181.59, discrimination on account of race, creed, or color prohibited in contracts. Minnesota Statutes, Section 363A.08 prohibits unfair discrimination practices related to employment or unfair employment practices.
9. Minnesota Statutes Chapter 363 Minnesota Human Rights Act. Requires that all public services be operated in such a manner that does not discriminate against any person in the access to, admission to, full utilization of or benefit from such public service.
10. Minnesota Statutes Sec. 363A.36 Subd 1a, Minnesota Department of Human Rights' (MDHR) affirmative action plan. PFA recipients are encouraged to prepare and implement an affirmative action plan for the employment of people with disabilities, people of color, and women, and submit the plan to the commissioner of Human Rights.
11. Minnesota Statutes Sec. 363.36, Minnesota Department of Human Rights' (MDHR) affirmative action plan requirements for contracts exceeding \$250,000. An affirmative action plan and workforce certificate for affected contractors is required prior to bidding.

12. Minnesota Statutes Section 363A.44, Equal Pay Certificate. Requirement for all contracts entered into by municipal governments for all contracts exceeding \$1,000,000.
13. The recipient's Minnesota Pollution Control Agency permit construction schedule submissions. Submissions may include as-built plans and specifications, revised operation and maintenance manual or a certification of completion. Refer to the MPCA permit and construction schedule.
14. Minnesota Statutes sections 176.181 - 176.182 - Requires recipients and subcontractors to have worker's compensation insurance coverage.
15. Minnesota Statutes 177.41 - 177.43 Prevailing Wage Rate Law. Requires that contractors pay laborers and mechanics prevailing wages established by the Minnesota Department of Labor and Industry for public works projects. The Grantee will ensure that the proper state prevailing wages and required contract conditions are included in bidding documents and in construction contracts.
16. Minnesota Statutes 290.9705. Requires that 8 percent of payments made to out-of-state contractors be withheld once cumulative payments made to the contractor for work done in Minnesota exceed \$50,000 in a calendar year, unless an exemption is granted by the Department of Revenue.
17. Laws of Minnesota 2010 Chapter 361, article 3, section 5(b). Clean Water Fund sign posting requirements.

The _____ certifies that it has or will comply with the above requirements
(Name of Grantee)

(Signature of Authorized Official)

Date

(If digital signature is not available, print, sign and return signed form with application)