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Environment and Natural Resources Trust Fund (ENRTF) Capital Construction Project Requirements

The following information provides guidance on requirements for capital construction projects undertaken using monies from the Environment and Natural Resources Trust Fund (ENRTF). These should be considered minimum requirements and may be modified in the future. Additional non-ENRTF state requirements may also apply to a project.

Project Requirements for ENRTF-Funded Capital Construction Projects

A. Resolutions or Letters of Authorization

1. Non-state entities must submit a resolution or letter from their governing board that commits to fund operations and maintenance once completed.
2. If the project will have a fiscal agent, a resolution or letter from the fiscal agent's governing board acknowledging its commitment to serve as the fiscal agent is required.

B. Consultation and Review

1. Pre-design documents must be submitted and reviewed by the Minnesota Department of Administration's Real Estate and Construction Services if the total construction costs exceed statutory thresholds, unless the project is exempted. See [16B.335, subd. 3](#), the Minnesota Department of Administration's [Predesign Manual for Capital Budget Projects](#), and the [Addendum to the Predesign Manual for ENRTF Capital Construction Projects](#) for more information.
2. Early consultation with the Minnesota State Historic Preservation Office (SHPO) is highly recommended to ensure compliance with state law and to identify and avoid adverse impacts to historic and archeological properties. See [M.S. 138.40, subd. 3](#); [M.S. 138.665, subd. 2](#); [M.S. 138.666](#) and visit the [SHPO site](#) for more information.

C. Energy Conservation and Sustainable Building Guidelines

1. Compliance with state sustainable building guidelines and energy conservation standards is required for construction of new buildings or major renovations of existing buildings (>10,000 square feet and replacement of all or part of HVAC systems). Review the [Minnesota B3 Guideline and SB 2030 Energy Standards](#) for additional information.
2. Compliance with other applicable state requirements for energy conservation and sustainable building, including but not limited to:
 - Geothermal and Solar Heating and Cooling Systems. Consider providing geothermal and solar energy heating and cooling systems on new or replacement HVAC systems. See [M.S. 16B.326](#) for more information.
 - Energy Use. Consider and plan for use of renewable energy sources, including from on-site solar or wind, and make energy efficiency improvements. See [M.S. 16B.32](#) for more information.
 - Recycling of Nonhazardous Construction and Demolition Waste. Divert from landfill and recycle a certain percentage (generally at least 75%) of nonhazardous construction and demolition waste. See [M.S. 16B. 327](#) and the [sustainable building guidelines](#) for more information.

Rep. Patty Acomb, Rita Albrecht, Sen. Gary Dahms, Sen. Kari Dziedzic, William Faber, Nancy Gibson,
Rep. Rick Hansen, Sen. Fong Hawj, Sen. Bill Ingebriksen, Shona Langseth, Rep. Dale Lueck, Seth Moore,
Rep. Kelly Morrison, Jeremy Peichel, Michael Reese, Rep. Tama Theis, Sen. Torrey Westrom

D. Contracting, Purchasing, and Wages

1. Appropriate assurances, such as a fixed price contract or performance bond, must be in place between the entity receiving funding and the contractor that construction will be completed in a manner consistent with the approved work plan and design.
2. Compliance with applicable state requirements for contracting, purchasing, and wages is required, including but not limited to:
 - Prevailing Wages. For construction projects above a certain dollar threshold and funded wholly or in part by state funds, contractors must pay a minimum hourly wage for certain workers. See [M.S. 177.41](#) to 177.44 and the [MN Department of Labor and Industry](#) website for more information.
 - Competitive Bidding for projects of certain dollar thresholds. See [M.S. 16C.28](#) and [M.S. 471.345](#) for more information.
 - Responsible Contractors. Award competitively bid contracts of more than \$50,000 to contractors meeting minimum criteria. See [M.S. 16C.285](#) for more information.
 - Targeted Group Purchasing. Contracts for capital construction projects with a total project cost >\$100,000 must promote the use of targeted businesses designated by the state, which are owned and operated by women, individuals with disabilities, or members of minority groups. Applies to state agencies, political subdivisions, and non-government organizations. See [M.S. 16C.16](#) for more information.

E. Accessibility

1. Structural and nonstructural facilities must meet the design standards in the Americans with Disabilities Act (ADA) accessibility guidelines.
2. Compliance with other applicable state requirements for accessibility, including but not limited to:
 - Accommodations for hard-of-hearing in state-funded capital projects that include space for public gatherings of more than 15 people. See [M.S. 16C.054](#) for more information.

F. Reporting

1. Prior to receiving final reimbursement, confirmation is required that all required inspections of the completed work by municipal or governmental authorities having jurisdiction has been completed and that all required certificates of occupancy or similar approvals have been issued.