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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 823

02/07/2019 Authored by Nelson and Garofalo The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to cities and towns; establishing a process for hiring private consultants;
1.3 proposing coding for new law in Minnesota Statutes, chapter 471.

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

1.5 Section 1. 471.462 USE OF PRIVATE CONSULTANTS TO REVIEW
1.6 APPLICATIONS BY CITIES AND TOWNS.

1.7 Subdivision 1. Request for qualifications. A city or town planning to hire professional
1.8 consulting services to assist with the review of applications for a permit, license, or other
1.9 approval, the cost of which will be borne by the applicant, must, at least annually, initiate
1.10 a request for qualifications from consultants qualified and willing to provide such services.
1.11 The request for qualifications must require that eligible respondents identify relevant
1.12 qualifications pertaining to the consulting services being sought and the fees the consultant
1.13 expects to charge for its services. Information submitted by a consultant to a city or town
1.14 in response to a request for qualifications is public data under chapter 13.

1.15 Subd. 2. Review statement of work. Before a city or town engages a consultant to assist
1.16 in reviewing an application for a permit, license, or other approval, the city or town must
1.17 provide the applicant with a written statement of work and the related estimate of fees to
1.18 be charged by the consultant, and the portion of such fees that will be the responsibility of
1.19 the applicant. Before the city or town commences review of the permit, license, or other
1.20 approval requiring the use of a consultant, it may condition such review on the applicant's
1.21 written acceptance of estimated fees to be charged by the consultant.

1.22 Subd. 3. Resolution of impasse. If the city or town and the applicant are unable to agree
1.23 on the consultant's review authority or associated fees relating to the specific permit, license,

- 2.1 or other approval being sought, the applicant may request review of the impasse by the city
- 2.2 council or town board at the next regularly scheduled meeting.