

Environment Committee

Meeting date: March 12, 2013

For the Metropolitan Council meeting of March 27, 2013

Subject: Ratification of Emergency Declaration for Repair of the Burnsville Lift Station L-13 Forcemain

District(s), Member(s): District 15, Steven T. Chávez

Policy/Legal Reference: Council Policy 3-3 Expenditures

Staff Prepared/Presented: Bill Moeller 651-602-4504

Division/Department: MCES c/o Leisa Thompson 651-602-8101

Proposed Action

That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for repair of the Burnsville Lift Station L-13 Forcemain.

Background

A small leak has developed in the forcemain adjacent to the Burnsville lift station L-13 which requires immediate repair. This portion of the forcemain has experienced significant settlement and a fitting adjacent to the meter structure has begun to leak. A length of pipe and fittings must be replaced to account for this and any future settlement. Nicols Road will be disturbed during the repair and will require restoration.

Rationale

Metropolitan Council has delegated authority to the Regional Administrator to declare emergencies on behalf of the Council when the health, safety or welfare of the public is compromised or potentially compromised, and immediate action is required to address the emergency. The emergency declaration is then presented to the appropriate implementation committee for approval, and placed on a following Council consent list for formal ratification.

Funding

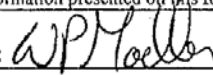
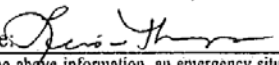

Operating Budget: Interceptor Sewers- Program 73340

Estimated Cost: \$150,000

Known Support / Opposition

No known opposition

Justification for and Declaration of Emergency

<p>"A declared public emergency is an emergency situation in which the health, safety or welfare of the public or the safety of Metropolitan Council employees or facilities is compromised or potentially compromised and requires immediate action to correct."</p>	
<p>I REQUEST THAT A PUBLIC EMERGENCY BE DECLARED, BASED UPON THE FOLLOWING:</p>	
<p>Describe the nature of the emergency situation:</p>	<p>A raw wastewater leak was reported February 23, 2013 adjacent to the meter vault outside the Burnsville lift station L-13.</p>
<p>Explain why this situation is a present, immediate, and existing emergency:</p>	<p>A small amount of wastewater, approximately 5 - 10 gpm was observed flowing into the adjacent ditch.</p>
<p>Explain how this emergency does or will affect the healthy, safety, or welfare of the public or the safety of Metropolitan Council employees or facilities:</p>	<p>A break in a wastewater pipe needs to be immediately addressed.</p>
<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:</p>	<p>Excavation to find the source of the leak and repair the damaged pipe. Estimated cost: \$150,000</p>
<p>Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):</p>	<p>The contractor which was selected has the required equipment mobilized within 2 miles of the leak location and was able to respond immediately. This contractor is very experienced and has performed this type of repair for the Council previously.</p>
<p>Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:</p>	<p>N/A</p>
<p>List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:</p>	<p>N/A</p>
<p>I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.</p>	
<p>Requestor's Signature: </p>	<p>Title :AGM Date: 2/27/13</p>
<p>Signature: </p>	<p>General Manager/Division Director Date: 3/1/13</p>
<p>Based on the above information, an emergency situation exists within the meaning of the Council Procurement Policy. Carrying out the competitive bidding process and the technical requirements of the Council's Procurement Policy, and awaiting Council declaration of an emergency and approval for the purchase of materials or supplies or the making of emergency repairs would significantly and unacceptably delay the commencement of repair work on the above-referenced project. The Metropolitan Council, by its Procurement Policy, has delegated authority to the Regional Administrator to declare an emergency on behalf of the Council in such cases. Therefore, I declare on behalf of the Metropolitan Council, that an emergency exists as described above and that the emergency situation requires the immediate purchase of materials or supplies or the making of emergency repairs. I authorize the General Manager/Division Director named above to let appropriate contracts and make payments for the purchase of materials or supplies or the making of repairs necessary to meet the emergency situation without advertising for bids, without meeting other technical requirements of Council Procurement Policy, and without prior approval of the Council. If the costs to correct the emergency situation total \$100,000 or more, I direct that this emergency declaration and any such contracts and/or payments be presented to the Metropolitan Council for formal ratification at its next meeting.</p>	
<p>Signature: </p>	<p>Regional Administrator Date: 3-1-2013</p>