

Environment Committee

Meeting date: August 12, 2014

For the Metropolitan Council meeting of August 27, 2014

Subject: Ratification of Declaration of Emergency for Metro Plant Flood Access

District(s), Member(s): District 13, Richard Kramer

Policy/Legal Reference: Policy 3 -3, Expenditures

Staff Prepared/Presented: Bryce Pickart, 651-602-1091

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

Proposed Action

That the Metropolitan Council ratifies the attached Justification for and Declaration of Emergency for Metro Plant flood access.

Background

High June rainfall caused the Mississippi River to reach flood stage and caused closure of Childs Road from June 23 to July 3. Childs Road is the access road to the Metropolitan Wastewater Treatment Plant. A temporary access road was constructed between Warner Road and the double barrel interceptor to the Metro Plant to provide one-way vehicular access. Trucks that haul waste and discharge at the liquid waste receiving facility at the Metro Plant were re-routed to the backup facility at Third and Commercial. Security services were procured to supervise traffic control to and from Warner Road and the Metro Plant as well as traffic control at Third and Commercial.

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

The cost of the temporary access road and associated security is estimated at \$150,000. Funding is provided in the 2014 MCES Operating Budget.

Known Support / Opposition

No known opposition.



**METROPOLITAN
COUNCIL**

JUSTIFICATION FOR AND DECLARATION OF EMERGENCY

"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."

I REQUEST THAT A PUBLIC EMERGENCY BE DECLARED, BASED UPON THE FOLLOWING:

Describe the nature of the emergency situation:

High rainfall in June has caused river levels to reach flood stage, with impending flooding of Childs Road. I/I across the system is stressing system capacity and causing the need to take quick actions.

Explain why this situation is a present, immediate, and existing emergency:

Childs Road is the normal access to Metro Plant. Need to construct temporary access road to double barrel interceptor to plant.

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:

Need to maintain wastewater conveyance and treatment function to protect public health (avoid basement backups and spills of untreated or partially treated wastewater).

(Complete reverse side of form and sign)

Justification for and Declaration of Emergency, Page 2

Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:	Temporary access road \$50,000. Sandbags, pumps, materials, and services \$40,000 Estimated cost: \$90,000
Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):	Temporary access road: Lametti & Sons (used last time). Others as needed.
Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:	
List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:	

I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.

Requestor's Signature: Bryce J. Pickart Title : Acting General Manager/Division Director Date: 6/20/14

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.

Signature: [Signature] Regional Administrator Date: 06/20/2014