

Environment Committee

Meeting date: September 23, 2014

For the Metropolitan Council meeting of October 22, 2014

Subject: Ratification of Declaration of Emergency for Effluent Pump Repair at the Metro Plant

District(s), Member(s): All

Policy/Legal Reference: Policy 3-3, Expenditures

Staff Prepared/Presented: Dan White, 651-602-8299; Mike Mereness, 651-602-8296

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 effluent pump repair at the Metro plant.

Background

Two of the six effluent pumps that discharge the effluent from the plant during high river levels had high vibration levels during the last flood event. Both need to be removed, refurbished and reinstalled before the spring flooding season in 2015. Quotes were obtained, but exceeded \$160,000 per pump. This level of expenditure normally requires going through the formal bidding process.

Due to the lead time of the pump repairs combined with the time required for the formal bidding process, it would not be possible to have the pumps back in service before a spring flood event using standard procedures. This would put the Metro plant at risk of not being able to keep up with influent flows during a high water / high rain event.

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

Funding is available in the MCES Operating Budget

Known Support / Opposition

No known opposition



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:	Two of the six Effluent Pumps had high vibrations during the 2014 flood event and need to be sent out to be refurbished before the spring flooding of 2015.
Explain why this situation is a present, immediate, and existing emergency:	Due to the lead time of the pump repair combined with the time line for an Advertisement for Formal Information for Bid it would not be possible to have the pumps back in service before a spring flood event.
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:	These Effluent Pumps are required to pump the discharge flow from the Metro Plant during a high water event. There is no other way to get flow out of the plant and pump failure would result in a flooding of our process equipment and tunnels or a diversion to the river to control the influent flow.
(Complete reverse side of form and sign)	

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Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:	Qualified vendor to remove, ship, refurbish, install two pumps. Estimated cost: \$450,000
Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):	We contacted our standard pump repair vendors and several of them directed us to Engineered Pump Services, Inc as the company qualified to handle this size pump. They were also the low bidder of the two quotes we received.
Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:	A scope of work was defined and given to procurement in August, bids were obtained from two contractors last week. However both bids came in over \$100,000.
List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:	WW. Goetsch (high bidder) & Van Bergen & Markson Inc (Declined to bid)
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: <i>Dan White</i>	Title :Mechanical Manager Date: 9/9/2014
Signature: <i>[Signature]</i>	<i>[Signature]</i> AGM OPS 9/9/14 General Manager/Division Director Date:
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: <i>[Signature]</i>	Regional Administrator Date: 9-9-2014