

## Environment Committee

Meeting date: June 23, 2015

For the Metropolitan Council meeting of July 8, 2015

**Subject:** Ratification of Emergency Declaration for Repair of Metro Plant Flotation Thickening Building

**District(s), Member(s):** All Districts

**Policy/Legal Reference:** Council Policy 3-3 Expenditures; MN Statutes 473.504

**Staff Prepared/Presented:** Rene Heflin, 651-602-1077

**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 Rehabilitation of the Metro Plant Flotation Thickening Building.

### Background

On March 10, 2015, a fire damaged the south main gallery of the Flotation Building. The fire occurred while a subcontractor for Total Mechanical (Council project 805944) was removing odor control vessels. Subsequent to the fire, the area has been cordoned off for fire inspector work and the building occupancy permit revoked for the damaged portion of the building.

Damage occurred to the roof, structural members supporting the building, wire and conduit for process and HVAC equipment, a mezzanine, and motor control centers in the adjacent electrical room. The Council has retained the engineering firm of TKDA to develop plans and specifications for the building rehabilitation and will be utilizing contractors currently at Metro to perform the work. "Releasing the Scene" by fire inspectors is anticipated the week of June 22<sup>nd</sup> allowing the rehabilitation work to proceed. Building rehabilitation is required expeditiously. The roof has to be repaired before winter and very limited operation and maintenance can be performed on the flotation process with the building occupancy revoked for a portion of the building.

### 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 Council's insurance carrier, FM Global, will provide funding to rehabilitate the facility.

### Known Support / Opposition

There is no known opposition.

Status	Assigned	Status Date	6/15/2015 8:45:43 AM	Current Holder	Bevins, Jan
		<h2>EMERGENCY DECLARATION FORM</h2>			
<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>INSTRUCTIONS: Fields marked with an asterisk (*) or outlined in red are required. All names must be entered in the following format: Last Name, First Name (e.g., Johnson, Joe). Responses must be limited to 255 characters, unless otherwise noted. Do not print this form. For assistance, contact <a href="#">Contracts and Procurement</a>.</p> <p>NOTE: The signature boxes are controlled by the status of the form and the name of the person who is logged in to the computer. For example, the From Signature box will only be active when the person listed in the From Name field is logged in to the computer. If you would like to save your progress and allow for the appropriate person to log in to the computer, please click the Save As Draft button at the bottom of the form. You will then receive an automated email containing a link to the form which, if necessary, you may forward to the appropriate person.</p>					
Requestor Name	Amstutz, Timothy				
Requestor's Supervisor	Pickart, Bryce				
Requestor Division	Environmental Services				
Emergency Title	Metro Flotation Building Fire Damaged Facilities Rehabilitation				
<b>REQUEST THAT A PUBLIC EMERGENCY BE DECLARED BASED UPON THE FOLLOWING:</b>					
Describe the nature of the emergency situation.	<p>Please note that a maximum of 1275 characters are allowed in the space below. Current count: 283 characters.</p> <p>On March 10, 2015 a fire damaged the south main floor gallery of the Flotation Building. Damaged occurred to the roof, structural members supporting the building, wire and conduit for process and HVAC equipment, a mezzanine, and Motor Control Centers in the adjacent electrical room.</p>				
Explain why this situation is a present, immediate, and existing emergency.	<p>Please note that a maximum of 1275 characters are allowed in the space below. Current count: 564 characters.</p> <p>Due to safety concerns the damaged area is closed to Plant personnel preventing routine access to process tanks to the south and north. Process equipment requires ongoing operation and maintenance which is being restricted.</p> <p>The fire damaged the roof and structural members above the south gallery. The extent of damage is unknown. The area requires a detailed assessment and remediation before a roof collapse or other safety concern happens.</p> <p>The building occupancy permit for the damaged portion of the building has been revoked until repairs are completed.</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>Please note that a maximum of 1275 characters are allowed in the space below. Current count: 168 characters.</p> <p>Plant personnel can't access this area due to safety concerns. This is preventing personnel from routine access to process tanks for ongoing operation and maintenance.</p>				
Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost.	<p>Please note that a maximum of 1275 characters are allowed in the space below. Current count: 465 characters.</p> <p>1. Professional Services: The services of an engineering firm will be required to develop a preliminary engineering report outlining the scope of work and costs to remediate the facility, develop plans and specifications for bidding, and provide construction engineering services during construction.</p> <p>2. Construction: Construction will be undertaken by a construction firm skilled in demolition, roof replacement, structural rehabilitation, and electrical work.</p>				
	Estimated Cost	\$2,000,000			
Identify how you chose the contractor(s).	<p>Please note that a maximum of 1275 characters are allowed in the space below. Current count: 252 characters.</p>				

	<p>I recommend utilizing the engineering firm of TKDA due to their knowledge of the Flotation Building and their team of architects, structural and electrical engineers to help with design documents.</p> <p>The construction firm will be decided at a later date.</p>												
<p>Quotes are not required in declared emergencies. If quotes were obtained, please attach them here.</p>	<p>Click the button below to attach any documents that should be routed along with the form. <b>Remove all special characters (!@#%\$%^) from filenames prior to attaching.</b></p> <p style="text-align: center;"><input type="button" value="Click here to attach a file"/></p>												
<p><b>Approval</b></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> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Requestor</b></td> <td style="width: 40%;">Signature: Amstutz, Timothy</td> <td style="width: 30%;">Date: 6/9/2015 10:33:14 AM</td> </tr> <tr> <td><b>Requestor's Supervisor</b></td> <td>Signature:</td> <td>Date:</td> </tr> <tr> <td><b>Division Director / General Manager</b></td> <td>Signature: Thompson, Leisa</td> <td>Date: 6/9/2015 11:47:18 AM</td> </tr> </table> <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> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Regional Administrator</b></td> <td style="width: 40%;">Signature: Born, Pat</td> <td style="width: 30%;">Date: 6/9/2015 12:32:07 PM</td> </tr> </table>	<b>Requestor</b>	Signature: Amstutz, Timothy	Date: 6/9/2015 10:33:14 AM	<b>Requestor's Supervisor</b>	Signature:	Date:	<b>Division Director / General Manager</b>	Signature: Thompson, Leisa	Date: 6/9/2015 11:47:18 AM	<b>Regional Administrator</b>	Signature: Born, Pat	Date: 6/9/2015 12:32:07 PM
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