

Environment Committee

Meeting date: November 13, 2018

For the Metropolitan Council meeting of: November 28, 2018

Subject: Ratification of Declaration of Emergency for Repair of Eagles Point Outfall

District(s), Member(s): 12, Harry Melander

Policy/Legal Reference: Council Policy 3-3 Expenditures

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 Emergency Declaration for repair of the outfall pipe from the Eagles Point Wastewater Treatment Plant in the estimated amount of \$6,000,000.

Background

On Monday October 29, 2018, an MCES contractor, LS Marine, observed leakage out of the outfall from an upstream maintenance access structure (MH 1). The contractor was conducting a river survey as part of the Eagles Point Surface Discharge Station Improvements Project.

On Thursday, November 1, 2018, an underwater inspection by the contractor confirmed significant damage to the outfall pipe. A downstream segment, including the outlet structure, was missing. The next 70-foot segment was bent, and this segment broke off when the contractor tried to straighten it. The contractor cut away the damaged section and covered the end segment with river mud to hold it down. Flow through the pipe has been restored. Plant treatment capacity and performance were never compromised.

The outfall requires immediate repair because the end segment is unrestrained, and the outlet is exposed; and it is located in a high barge traffic corridor that is currently undergoing channel modifications. The estimated amount of \$6,000,000 is for full pipe replacement, pending inspections.

Rationale

The 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, and immediate action is required to address the emergency. The emergency declaration is then presented to the appropriate committee for formal ratification.

Thrive Lens Analysis

The action supports the Thrive Outcome of Stewardship as the work supports efforts to maintain the region's wastewater treatment system.

Funding

Funds are provided in the MCES capital program. Environmental Services will coordinate with Risk Management to review for a potential insurance claim.

Known Support / Opposition

No known opposition.



EMERGENCY DECLARATION FORM

"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.

The Eagles Plant outfall is 48" HDPE, buried about 2 feet below the river bottom at a section of the Mississippi River known as Bolanger Bend (outlet location N995.66, E505.95 per record drawing)

On Monday 10/29, an MCES contractor noted leakage out of the upstream structure (MH 1) from the outfall.

Underwater evaluation by divers on Thursday 11/1 discovered that a 200-foot (? estimated) section has been torn out from the middle. The segment upstream was described as exposed, laying on the bottom of the river, and pinched, which was blocking the flow. The downstream segment is buried.

I request a public emergency for the protection of the outfall. The COE is currently installing rock dams at this site and the EP outfall is exposed. If we do not act fast, the COE project will close in the outlet toward the bank.

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

Outfall pipe is exposed in an area of heavy construction.

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.

Outfall pipe is exposed in an area of heavy construction.

Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost.

1. restore effluent flow through the pipe (or cause erosion of the bank),
- 2 perform interim measures such as internal pipe inspection, tie down the pipe, mark the pipe to prevent subsequent damage by nearby construction, and
3. install permanent solution before the path is blocked by the rock check dame.

Estimated Cost: 7.5 M

Identify how you chose the contractor(s).

Lametti was onsite getting ready to start a project to replace pipe bedding (preparation for the COE project to cover a portion of the outfall with boulders). By change order, Lametti used divers to do the underwater inspection.

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

Requestor Signature

Heflin, Katherine
 Signature

Date

Division Director/General Manager Signature

Thompson, Leisa
 Signature

11/1/2018 6:43:00 PM
 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.

Regional Administrator Signature

Kooistra, Wes
Signature

11/2/2018 11:04:00 AM
Date