

Environment Committee

Meeting date: July 23, 2019

For the Metropolitan Council meeting of August 14, 2019

Subject: Final Ratification of Declaration of Emergency for Flood Mitigation of Environment Services Wastewater Treatment Plants

District(s), Member(s): All

Policy/Legal Reference: Policy 3-3, Expenditures

Staff Prepared/Presented: Mike Mereness, 651-602-8296

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

Proposed Action

That the Metropolitan Council ratifies the attached Emergency Declaration for flood mitigation at Environmental Services Wastewater Treatment Plants (WWTP) in the final amount of \$233,596.64.

Background

A winter of heavy snow in much of Minnesota and quickly warming spring temperatures created high runoff to Minnesota rivers resulting in flood conditions that effected MCES facilities.

The Mississippi River at St. Paul experienced a peak flood crest that was the seventh highest in history and resulted in the flooding and closure of Childs Road from March 25, 2019 through April 19, 2019. Childs Road is the access road to the Metropolitan Wastewater Treatment Plant. To facilitate continuous access to the Metro Plant during this time a temporary access road was constructed between Warner Road and the MCES double barrel interceptor to provide one-way vehicular access. Security services were procured from the City of St Paul to supervise traffic control to and from Warner Road and the Metro Plant.

An emergency declaration was made on March 19, 2019 and adopted by the Council on April 10, 2019 in the estimated amount of \$125,000 as Business Item 2019-67. The cost of maintaining the temporary access road and for providing security services exceeded the original estimate, due to a longer then expected closure of Childs Road due to flooding. In addition, due to a change in the City of St Paul's policy for contracting police service directly from the City, the price of this service was at a higher rate than originally estimated.

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, or potentially compromised, and immediate action is required to address the emergency. An emergency situation was identified requiring the immediate purchase of materials or supplies to address the mitigation needs. This emergency declaration was presented to the Metropolitan Council for formal ratification and because the estimated cost has increased, a final ratification is now being requested.

Thrive Lens Analysis

This action advances the Thrive outcome of stewardship. Public financial resources will be invested efficiently and effectively to maintain proper operation of the Metropolitan Disposal System which protects the region's natural resources.

Funding

Funding is provided in the MCES Operating Budget.

Known Support / Opposition

There is no known opposition.



EMERGENCY DECLARATION FORM

<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>The Minnesota and Mississippi Rivers are projected to crest at levels that will require flood mitigation responses. Mississippi river levels are rising fast due to high spring runoff/thaw and are projected to reach flood stage, with likely flooding of Childs Road. Childs Road is the normal access to Metro Plant. Need to construct a temporary access road to the top of the double barrel interceptor to provide access to the plant during the flood.</p>	
<p>Explain why this situation is a present, immediate, and existing emergency.</p>	
<p>The river levels have been rising quickly in recent days with the spring warm up. The high river levels are projected to start flooding Childs Road the week of March 25th.</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>Need to maintain wastewater conveyance and treatment function to protect public health (plant staff need access to continue operating and maintaining plant's treatment processes).</p>	
<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost.</p>	
<p>Contractor to construct temporary access road, \$75,000. Provide sandbags, portable pumps, materials and services, \$50,000</p>	
Estimated Cost:	\$125,000
<p>Identify how you chose the contractor(s).</p>	
<p>Lametti and Sons have been used before and are familiar with quickly completing construction of temporary road. Other providers as needed to provide miscellaneous flood mitigation related materials and services.</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 Signature</p>	
Mereness, Mike Signature	3/19/2019 2:56:00 PM Date
<p>Division Director/General Manager Signature</p>	
Thompson, Leisa Signature	3/19/2019 3:16:00 PM Date
<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>Regional Administrator Signature</p>	
Vadis, Meredith Signature	3/19/2019 3:23:00 PM Date