

## Environment Committee

Meeting date: April 14, 2020

For the Metropolitan Council meeting of April 22, 2020

**Subject:** Ratification of Declaration of Emergency for Boiler Operator Temporary Services

**District(s), Member(s):** 13, Chai Lee

**Policy/Legal Reference:** Policy 3-3, Expenditures

**Staff Prepared/Presented:** Jeannine Clancy, 651-602-1210; Larry Rogacki, 651-602-8225

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

### Proposed Action

That the Metropolitan Council ratify the attached Emergency Declaration for Environmental Services Boiler Operator Temporary Services.

### Background

Metro Plant solids processing is tied to an energy recovery system consisting of three waste heat boilers and two steam turbine generators, which produce energy saving MCES roughly \$2.5 million per year in electrical and natural gas energy.

Incinerators at the Metropolitan Wastewater Treatment Plant (WWTP) are a critical part of solids processing required to meet liquid treatment permit requirements and cannot be operated without the waste heat boiler system. Operation of the energy recovery system requires eight (8) 1<sup>st</sup> Class, Grade A licensed boiler operators. The incineration and energy recovery system run continuously.

Contracted 1<sup>st</sup> Class Grade A licensed boiler operators may be needed to operate the boiler system if Local 49 operators become ill or need to work in accordance with approved alternative staffing plans due to the COVID19 pandemic.

### 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. The emergency declaration is then presented to the appropriate implementation committee for approval and placed on a following Council consent list for formal ratification.

There is currently no Metropolitan Council Underutilized Business (MCUB) or Disadvantaged Business Enterprise (DBE) goal for this item as there is no opportunity for subcontracting due to the declaration.

### 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

The cost to provide continuity of operations at the Metropolitan WWTP is estimated at \$300,000. Funding is provided in the MCES Operating Budget.

### Known Support / Opposition

There is 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.

Continued operation of Metro Plant Solids Processing through the Corona Virus 19 pandemic is critical to avoid a liquid treatment permit violation at the Metro Plant.

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

Loss of boiler operators would shut down the whole incineration system. Up to 100 dtpd of raw sludge can be loaded out to the landfill, but this amount of loadout could not keep up with the plant's average loading of 240 dtpd. An extended outage (on the order of days) would result in Metro Plant not being able to meet its liquid treatment permit requirements. This environmental and public health risk is unacceptable.

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.

Not meeting permit requirements harms the environment and risks public health.

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

Provide 6 months backup boiler operator services contract with Sprung Services (a temporary services company)

Estimated Cost: \$300,000

Identify how you chose the contractor(s).

Sprung Services identified through google search and contacting subject matter experts. No other companies that provide this service are known to exist in the Twin Cities region.

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

4/3/2020 10:23:00 AM  
 Date

Division Director/General Manager Signature

Thompson, Leisa  
 Signature

4/3/2020 11:39:00 AM  
 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

Vadis, Meredith  
 Signature

4/3/2020 12:12:00 PM  
 Date