

Environment Committee

Meeting date: April 14, 2020

For the Metropolitan Council meeting of April 22, 2020

Subject: Ratification of Emergency Declaration for Wastewater Sludge Trucking Services

District(s), Member(s): 12, Francisco Gonzalez; 16, Wendy Wulff; 9, Raymond Zeran

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 ratifies the attached Emergency Declaration for Environmental Services Wastewater Sludge Trucking Services from Eagles Point, Hastings, and St. Croix Valley Wastewater Treatment Plants (WWTPs), and from East Bethel Wastewater Reclamation Facility (WRF).

Background

Eagles Point, Hastings, St. Croix Valley, and East Bethel haul wastewater sludge to Liquid Waste Receiving at the Metropolitan WWTP, or in the case of East Bethel, to Fridley Liquid Waste Receiving. Hauling is a critical operation required to meet liquid treatment permits at these facilities and cannot be suspended or stopped. Hauling is currently performed by wastewater treatment plant operations.

Truck drivers may be needed to operate the wastewater treatment facilities if operators become ill or need to work in accordance with approved alternative staffing plans due to the Coronavirus-19 pandemic. Contracted trucking services may be required to support continued wastewater sludge hauling.

MCES will obtain up to \$350,000 of wastewater sludge trucking services using MCES permitted contractor(s). The Wastewater Sludge Trucking contracts will be utilized if determined to be in the best interest of MCES by the MCES Incident Command Team.

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 MCES WWTPs during flood conditions is estimated at \$350,000. 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>Continued operation of sludge trucking -- currently performed by Local 49 wastewater treatment plant operators -- is at risk due the Corona Virus 19 pandemic and the potential loss of available wastewater treatment plant operators.</p>	
<p>Explain why this situation is a present, immediate, and existing emergency.</p>	
<p>MCES wastewater treatment plant operators who currently truck sludge may be needed to operate wastewater plants on short notice, or MCES may need to implement alternative staffing plans to protect operator health.</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>Permit compliance at Eagles Point, Hastings, St. Croix Valley, and East Bethel wastewater treatment plants requires reliable sludge trucking of approximately 700,000 gallons of sludge per week to the Metro Plant (or the Fridley Liquid Waste Receiving, in the case of East Bethel). Disruption of sludge trucking would result in permit violations at these plants, directly polluting the environment and endangering public health.</p>	
<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost.</p>	
<p>Wastewater Sludge Trucking Services for East Business Unit and East Bethel Wastewater Reclamation Facility to be utilized as directed by the ES ICS Incident Commander (Rogacki), the ICS Alternate Incident Commander (Edlund) or Director of Maintenance (White).</p>	
Estimated Cost:	\$350,000
<p>Identify how you chose the contractor(s).</p>	
<p>MCES list of Industrial Waste permitted trucking companies with capacity and type of trucks needs to haul sludge.</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>	
Heflin, Katherine Signature	4/2/2020 11:26:00 AM Date
<p>Division Director/General Manager Signature</p>	
Thompson, Leisa Signature	4/3/2020 11:43:00 AM 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	4/3/2020 12:11:00 PM Date