

## Environment Committee

Meeting date: April 14, 2020

For the Metropolitan Council meeting of April 22, 2020

**Subject:** Ratification of Declaration of Emergency for Environmental Services Flood Preparations and Mitigation

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

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

**Staff Prepared/Presented:** Jeannine Clancy, 651-602-1210; Dan White, 651-602-8299

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

### Proposed Action

That the Metropolitan Council ratify the attached Emergency Declaration for Environment Services flood preparations and mitigation for wastewater conveyance and treatment facilities.

### Background

Ongoing rainfall, highly saturated soils, and an enhanced likelihood for above-normal precipitation this spring contribute to the increased chances for flood conditions that may affect MCES wastewater conveyance and treatment services.

The Mississippi River could potentially reach flood stage and cause closure of Childs Road. Childs Road is the access road to the Metropolitan Wastewater Treatment Plant. A temporary access road will be constructed between Warner Road and the double barrel interceptor to the Metro Plant to provide one-way vehicular access. Trucks that haul waste and discharge at the Metro Plant liquid waste receiving facility will be re-routed to the Third and Commercial liquid waste receiving facility. Security services will supervise traffic control to and from Warner Road and the Metro Plant, as well as traffic control at Third and Commercial.

Additional miscellaneous materials and resources may be needed at other MCES facilities to mitigate flood hazards and are included in the estimated cost. These materials and resources could include extra sandbags, portable pumps, fuel for portable generators, etc.

### 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 \$750,000. 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>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 increase to 16.0 feet and continue to trend upwards based on the amount of runoff and forecasted precipitation.</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, \$700,000.          Provide sandbags, portable pumps, materials and services, \$50,000</p>	
<p>Estimated Cost:</p>	<p>\$750,000</p>
<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.          City of St. Paul and 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>	
<p>Clancy, Jeannine          Signature</p>	<p>4/3/2020 2:56:00 PM          Date</p>
<p>Division Director/General Manager Signature</p>	
<p>Thompson, Leisa          Signature</p>	<p>4/3/2020 3:16:00 PM          Date</p>
<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>	
<p>Vadis, Meredith          Signature</p>	<p>4/3/2020 3:23:00 PM          Date</p>