

# Business Item

Environment Committee



Committee Meeting Date: May 24, 2022

For the Metropolitan Council: June 8, 2022

## Business Item: 2022-159

Ratification of Emergency Declaration for Repair of Brooklyn Park Interceptor 7015 A&B

<b>District(s), Member(s):</b>	District 2, Reva Chamblis
<b>Policy/Legal Reference:</b>	Policy 14-2, Expenditures for the Procurement of Goods, Services, and Real Estate Policy
<b>Staff Prepared/Presented:</b>	Adam Gordon, Interceptor Engineering Manager, 651-602-4503
<b>Division/Department:</b>	MCES c/o Leisa Thompson, 651-602-8101

### Proposed Action

That the Metropolitan Council ratify the attached Emergency Declaration for repairs of the sink hole and Interceptor 7015 A&B in Brooklyn Park.

### Background

On May 16, 2022, MCES staff received notification from Caterpillar, Inc. about a sink hole near their property on 85<sup>th</sup> Avenue North in Brooklyn Park. The sink hole is about 10 feet deep and 5 feet in diameter and over MCES interceptor 7015 A&B. Flow is currently appears contained in the pipe, however there is a surcharge of flow observed in the upstream manholes.

Upon receiving notification of the event, Interceptor Services worked to begin diverting the flow from the pipe and conducting CCTV inspection of the pipe to determine if there is any leak or break in the pipe. The right lane on 85<sup>th</sup> Avenue North has been closed for safety and traffic warning signs are placed. City of Brooklyn Park and Hennepin County have been informed of the sink hole.

An active rehabilitation project on the interceptor is planned to start construction in a few weeks. Minger, who is the contractor for the project, will assist in the repair of the damaged portion of the pipe. MCES staff will continue to monitor the sink hole until it is repaired.

### Rationale

Work was required immediately to protect public health and protect existing infrastructure.

### Thrive Lens Analysis

This action advances the Thrive Outcome of Stewardship. Public financial resources will be invested efficiently and effectively to maintain and restore existing capacity to existing wastewater infrastructure which protects the region's natural resources.

### Funding

The estimated cost for the emergency work is \$1,000,000. This work will be funded out of the 2022 MCES Authorized Capital Program.

### **Small Business Inclusion**

Due to the time sensitive nature of the Emergency Declaration and the need for immediate work to be performed to protect public health and existing infrastructure, the Office of Equity and Equal Opportunity will not be establishing a small business goal. The application of a goal would significantly impact the timing of this project.





## 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.

On May 5, 2022, a section of 7015 A&B along 85th Avenue in Brooklyn Park collapsed, creating a 10-foot deep sinkhole south of the road. The pipe needs to be repaired immediately.

Hennepin County and the City of Brooklyn Park have been contacted, and are working with MCES staff on a road closure and repair plan.

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

Work is required immediately to protect public health and address roadway infrastructure.

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.

Work us required immediately to protect public health and safety.

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

Excavation for interceptor repair, temporary conveyance for management of wastewater flows, paving restoration work, and temporary signage for lane closures.

Estimated Cost: \$1,000,000

Identify how you chose the contractor(s).

Contractor has previously been awarded a contract for work in the impacted area.

I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief. Copy/paste names/dates out of approved Emergency Declaration Form

Requestor Signature: Wedin, Timothy 5/16/2022 12:28PM

Supervisor Signature: Gordon, Adam 5/16/2022 1:07PM

Division Director/General Manager Signature: Paske, Sam 5/16/2022 1:45PM

Signature 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: Bogie, Mary 5/16/2022 7:27PM

Signature Date