

# Business Item

Environment Committee



Committee Meeting Date: January 23, 2024

For the Metropolitan Council: February 14, 2024

## Business Item: 2024-28

Ratification of Declaration of Emergency Repair of Orono Interceptor 7113

<b>District(s), Member(s):</b>	District 3, Tyronne Carter
<b>Policy/Legal Reference:</b>	Council Policy FM 14-2, Expenditures for the Procurement of Goods, Services, and Real Estate
<b>Staff Prepared/Presented:</b>	Chris Remus, Assistant Manager, Interceptor Engineering, 651-602-4538
<b>Division/Department:</b>	Environmental Services

### Proposed Action

That the Metropolitan Council ratify the Emergency Declaration for repairs to Interceptor 7113 in Orono in an amount not to exceed \$3,750,000.

### Background

Recent pipe condition inspection at several structures along the Orono 7113 Interceptor has revealed significant pipe wall loss exceeding 70% of the original pipe wall thickness due to corrosion. This pipe wall loss is located at a high point along North Shore Drive and west of Shoreline Drive. A similar inspection conducted two years ago in Chanhassen had shown pipe wall losses of up to 50%. The Chanhassen pipe failed in the Spring of 2023 resulting in an Emergency Declaration.

The Orono 7113 Interceptor is surrounded by Lake Minnetonka and several large wetland complexes. With the higher flows carried by the 18-inch diameter ductile iron pipe (DIP), a spill would be difficult to manage without impacts to the nearby wetlands and lake. There is no redundant interceptor pipe for conveying flow in an emergency. The plan for the Orono 7113 Interceptor is to install temporary conveyance to eliminate the risk, evaluate project extents, and replace the pipe before a catastrophic failure occurs.

### Rationale

Emergency Declarations exceeding \$175,000 require appropriate Committee and Council ratification.

### 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 \$3,750,000. This work will be funded out of the 2024 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 did not establish 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.

Recent pipe condition inspection at several structures along the Orono 7113 Interceptor has revealed significant pipe wall loss exceeding 70% of the original pipe wall thickness due to corrosion. This pipe wall loss is located at a high point along North Shore Drive and west of Shoreline Drive. A similar inspection conducted two years ago in Chanhassen had shown pipe wall losses of up to 50%. The Chanhassen pipe failed in the Spring of 2023 resulting in an Emergency Declaration.

The Orono 7113 Interceptor is surrounded by Lake Minnetonka and several large wetland complexes. With the higher flows carried by the 18-inch diameter ductile iron pipe (DIP), a spill would be difficult to manage without impacts to the nearby wetlands and lake. There is no redundant interceptor pipe for conveying flow in an emergency. The plan for the Orono 7113 Interceptor is to install temporary conveyance to eliminate the risk, evaluate project extents, and replace the pipe before a catastrophic failure occurs.

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

Work is required to immediately protect public health.

Explain how this emergency does or will affect the health, safety, or welfare of the public or the safety of Metropolitan Council employees or facilities.

Work is 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 and paving and restoration work

Estimated Cost: \$3,750,000

Identify how you chose the contractor(s).

Contractor will be chosen because they are mobilized, within close proximity and available to do the work

I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.

Requestor Signature: Christopher Remus

12/28/2023 at 10:34am

Supervisor Signature: Adam Gordon

12/28/2023 at 10:49am

Division Director/General Manager Signature: Leisa Thompson

12/28/2023 at 2:53pm

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 \$175,000 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: Phillip Walljasper

12/28/2023 at 3:16pm