

Management Committee

Meeting date: April 28, 2021

For the Metropolitan Council meeting of May 12, 2021

Subject: Ratification of Emergency Declaration #65 for Purchase of COVID-19 Tests

District(s), Member(s):

Policy/Legal Reference: Council Expenditure Policy 14-2, Emergency Expenditures

Staff Prepared/Presented: Philip Walljasper, 651-602-1787; Jody Jacoby, 651-602-1144

Division/Department: Regional Administration

Proposed Action

That the Metropolitan Council ratify the attached Emergency Declaration for purchase of COVID-19 tests in the amount of \$490,500.00.

Background

The COVID-19 pandemic is an emergency situation in which positive tests is on the rise. This rise of tests calls for immediate action to prevent more positive tests from developing or occurring at Council facilities and to Council employees and customers. Governor Walz has extended the COVID-19 state of emergency due to increased cases. Increased cases of COVID directly affects the health, safety and welfare of the public and Metropolitan Council employees and facilities and as a result emergency resources of test kits were needed immediately.

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 presented to the appropriate implementation committee for approval and placed on a following Council consent list for formal ratification.

Accountability – Following policy 14-2, The Regional Administrator may authorize appropriate contracts and payments necessary to meet the emergency situation provided that, if the cost to correct the emergency situation totals \$175,000 or more, the emergency declaration shall also be presented to the appropriate committee for formal ratification at its next regular meeting.

Thrive Lens Analysis

This action advances the Thrive outcome of stewardship. Public financial resources will be invested efficiently and effectively in the region.

Funding

The full cost of COVID-19 test kits is estimated at \$490,500 and local funding will be used.

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."

INSTRUCTIONS: Fields marked with an asterisk (*) or outlined in red are required. All names must be entered in the following format:

Last Name, First Name (e.g., *Johnson, Joe*). Responses must be [limited to 255 characters](#), unless otherwise noted. [Do not print this form](#).

For assistance, contact [Procurement](#).

NOTE: The signature boxes are controlled by the status of the form and the name of the person who is logged in to the computer. For example, the From Signature box will only be active when the person listed in the From Name field is logged in to the computer. If you would like to save your progress and allow for the appropriate person to log in to the computer, please click the Save As Draft button at the bottom of the form. You will then receive an automated email containing a link to the form which, if necessary, you may forward to the appropriate person.

Requestor Name

Walljasper, Philip

Requestor's Supervisor

Bogie, Mary

Requestor Division

Regional Administration

Emergency Title

COVID 19 Testing

I REQUEST THAT A PUBLIC EMERGENCY BE DECLARED BASED UPON THE FOLLOWING:

Please note that a maximum of 1275 characters are allowed in the space below.

Describe the nature of the emergency situation.

The COVID 19 pandemic is an emergency situation in which positive tests is on the rise. This rise of tests calls for immediate action to prevent more positive tests from developing or occurring at Met Council facilities, to Met Council employees and Metro Mobility contractors.

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

Please note that a maximum of 1275 characters are allowed in the space below.

The COVID 19 pandemic is an emergency situation in which positive tests is on the rise. This rise of tests calls for immediate action to prevent more positive tests from developing or occurring at Met Council facilities, to Met Council employees and Metro Mobility contractors.

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.

Please note that a maximum of 1275 characters are allowed in the space below.

The Governor of the State of MN has extended the COVID-19 state of emergency due to increased cases. Increased cases of COVID directly affects the health, safety and welfare of the public and Metropolitan Council employees, facilities, ridership and the general public.

Please note that a maximum of 1275 characters are allowed in the space below.

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

COVID 19 Saliva Test Kits - up to \$475,000; and reimbursement for Metro Mobility test kits to MTS contractors - up to \$120,00.

Estimated Cost

595000.00

Please note that a maximum of 1275 characters are allowed in the space below. Current count: 0 characters.

Identify how you chose the contractor(s).

The Governor of the State of MN has extended the COVID-19 state of emergency due to increased cases. The State of MN has a contract with Vault Health to provide COVID-19 saliva test kits to all citizens of the state. Vault Health is able to immediately provide a stockpile of saliva test kits to the Council in this urgent circumstance.

MTS already chose the Metro Mobility contractors through a competitive procurement. Those contractors will be reimbursed for purchase of test kits for their employees. The contractors will be purchasing test kits through empowerDX, who is FDA approved for the At Home COVID-19 Nasal PCR Test Kit.

Quotes are not required in declared emergencies. If quotes were obtained, please attach them here.

Click the button below to attach any documents that should be routed along with the form. Remove all special characters (!@#\$\$%^&*) from filenames prior to attaching

Approvals

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

Requestor	Signature	Date
	<input type="text" value="Walljasper, Philip"/>	<input type="text" value="12/17/2020"/> <input type="text" value="11 AM"/> <input type="text" value="36"/>
Supervisor	Signature	Date
	<input type="text" value="Bogie, Mary"/>	<input type="text" value="12/17/2020"/> <input type="text" value="11 AM"/> <input type="text" value="43"/>
Division Director/General Manager	Signature	Date
	<input type="text" value="Bogie, Mary"/>	<input type="text" value="12/17/2020"/> <input type="text" value="11 AM"/> <input type="text" value="43"/>

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	Date
	<input type="text" value="Bogie, Mary"/>	<input type="text" value="12/17/2020"/> <input type="text" value="11 AM"/> <input type="text" value="41"/>
Assigner	Signature	Date
	<input type="text"/>	<input type="text" value="12 AM"/> <input type="text" value="00"/>

Assign

Contract Manager / Purchasing Agent

Comments

SEND BACK TO REQUESTOR

EXIT

APPROVE