

Business Item

Environment Committee



Committee Meeting Date: August 8, 2023

For the Metropolitan Council: August 23, 2023

Business Item: 2023-178

Ratification of Declaration of Emergency Repair of Interceptor 1-MH-401B Lilydale Siphon

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

Proposed Action

That the Metropolitan Council ratify the Emergency Declaration for repairs to Interceptor 1-MH-401B Lilydale siphon in St. Paul in the amount not to exceed \$1,000,000.

Background

In the afternoon of July 17, 2023, a wastewater leak was reported along the 1-MH-401 siphon in the city of Saint Paul in the area southeast of Shepard Road and Interstate 35E and north of the Mississippi River. MCES Operations staff was notified and immediately dispatched vector trucks to begin performing cleanup of spilled wastewater and divert upstream flow from the suspected leaking pipe to the remaining two siphon pipes to effectively stop the spill. This diversion was successful, and efforts were focused towards the cleanup.

By the next day, a contractor was dispatched to the site to assess the situation and propose a plan to aid in cleanup. The contractor began work on July 18th and completed removal of wastewater on July 23rd. Local and state agencies were contacted and informed of the situation.

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 \$1,000,000. This work will be funded out of the 2023 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.





Metropolitan Council
 Contracts & Procurement
 390 Robert Street North
 St. Paul, Minnesota 55101-1805

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 July 17th, 2023, Saint Paul Park & Recreation received a complaint from the Metro Mosquito Control District regarding a sewage spill/odor south of Shepard Road and east of 35E. Saint Paul Sewer Utility investigated the site and provided pictures and video and prepared the attached map. The spill appears to line up with the MCES siphon crossing from Lilydale/Mendota Heights. The spill was called into MCES Dispatch today around 1:30PM. MCES staff is onsite cleaning up spill material and will continue to work with all entities on the repair plan and any necessary traffic control and permitting requirements.

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

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

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.

The spill potentially has negatively impacted public health and safety. A repair and cleanup is necessary to prevent any further damage.

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

Excavation for interceptor repair, traffic control, spill cleanup services and minor surface restoration.

Contracting will likely be required for cleanup and repair of damaged pipe

Estimated Cost: \$1,000,000

Identify how you chose the contractor(s).

ECI was selected for the forcemain repair due to their availability relative to the other contractors in the area.

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 07/18/2023 at 6:53am

Supervisor Signature: Adam Gordon 07/18/2023 at 7:04am

Division Director/General Manager Signature: Leisa Thompson 07/18/2023 at 10:19am

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 07/18/2023 at 6:14pm