

# Business Item

Environment Committee



Committee Meeting Date: May 9, 2023

For the Metropolitan Council: May 24, 2023

## Business Item: 2023-98

Ratification of Declaration of Emergency Repair of Interceptor 8253-327 along State Highway 41 in Chanhassen

<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>	Christopher 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 8253-327 along State Highway 41 in Chanhassen in the amount not to exceed \$1,000,000.

### Background

On April 4, 2023, a sinkhole was observed by MCES service crews located over Interceptor 8253-327 in the western right-of-way of State Highway 41 in the city of Chanhassen. The condition of the pipe was inspected by MCES crews that morning and the area was later excavated to determine the situation. The pipe was found to be partially collapsed and the top portion of the pipe was corroded away, creating a potentially hazardous condition for the nearby roadway and adjacent utilities, along with reliability of the MCES system. Approximately 20 feet pipe was replaced on April 5, 2023, which provides an interim repair and operational flexibility.

Local and state agencies were contacted and informed of the situation. Pursuant to the declaration, a contractor has been retained and is working with MCES and the State to construct a temporary conveyance system to provide safe and reliable pumping conditions until the current pipe can be replaced.

The deficiencies noted in the initial inspection have compromised the integrity of the MCES pipe and are a risk to reliable operations. This work needs to begin immediately to avoid further damage to the State right-of-way and return reliability options to the pumping system. MCES will hire a prequalified Contractor to perform this work.

### 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.





## 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 April 4th, 2023, a sinkhole was discovered over the location of MCES 8253 327 forcemain located in the City of Chanhassen and adjacent to Trunk Highway 41. The pipe was found to be partially collapsed at 250' downstream of AR 14 based field televising, creating a hazardous condition for the highway and utility nearby and system reliability. The City of Chanhassen and MNDOT have been contacted and MCES staff will continue to work with both 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.

Work is required immediately to protect health and public safety

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

Excavation for interceptor repair, traffic control, potential temporary conveyance and surface restoration

Estimated Cost: \$1,000,000

Identify how you chose the contractor(s).

Will select contractor from existing prequalified pool and availability

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: Remus, Christopher

4/4/2023 4:14:00 PM

Supervisor Signature: Gordon, Adam

4/4/2023 4:19:00 PM

Division Director/General Manager Signature: Thompson, Leisa

4/4/2023 5:18:00 PM

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 \$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: Bogie, Mary

4/4/2023 7:59:00 PM

Signature

Date