

E Environment Committee

Meeting date: April 12, 2011

For the Metropolitan Council Meeting of April 13, 2011

ADVISORY INFORMATION

Date: April 7, 2011
Subject: Ratification of Declaration of Emergency for Repair of
 Interceptor 1-MN-342
District(s), Member(s): District 6, James Brimeyer
Policy/Legal Reference: Council Policy 3-3 Expenditures
Staff Prepared/Presented: Bill Moeller 651-602-4504
Division/Department: MCES c/o William G. Moore 651-602-1162

Proposed Action

That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for Repairs to Interceptor 1-MN-342.

Background

Interceptor 1-MN-342 in Minneapolis was determined to be failing and a sink hole developed in the intersection of 39th Street West and Drew Avenue South. The damage was observed by MCES crews responding to a request from City of Minneapolis staff reporting a potential blockage in the interceptor. The pipe is 9-inch vitrified clay pipe constructed in 1928. A temporary pumping system was established and the damaged pipe inspected. The clay pipe must be replaced. Lametti & Sons was mobilized to excavate down to the failed pipe and replace it. The remainder of this interceptor is in poor condition and will be replaced in a future Capital Improvements project.

Rationale

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

Funding

The cost of the immediate repairs is estimated at up to \$250,000, to come from the Reserve Contingency Fund. These funds may be able to be funded within interceptor repair costs built into the regular wastewater operating budget; however, some or all of this cost may need to be funded from the wastewater Reserve Contingency Fund. Once the final repair cost is known and the availability of operating funds (and other needed repair work in 2011 is assessed), a budget amendment to take the funds from the reserve may be initiated. This reserve has adequate funds to cover the full cost, if needed, and still remain over the Council's reserve target.

Known Support / Opposition

No known opposition.

Justification for and Declaration of Emergency

"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:	A portion of interceptor 1-Mn-342 has collapsed at the interception of 39 th St W & Drew Ave S in Minneapolis. This segment is 9" clay pipe constructed in 1928.
Explain why this situation is a present, immediate, and existing emergency:	The pipe has collapsed and the street has a significant sink hole.
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:	This could result in basement backups or spills to the environment.
(Complete reverse side of form and sign)	

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Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:	<p>Temporary pumping around the failed area is needed. Excavation of the failed pipe and replacement is needed. Dewatering the area will likely be required. The pipe is bedded on timber piles which may require some replacement or alternate foundation.</p> <p>Estimated cost: \$250,000</p>
Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):	Previous emergency response experience on this type of project.
Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:	N/A
List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:	N/A
I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.	
Requestor's Signature: <i>W.F. Moller</i> Title :Assistant General Manager Date: 4/7/11	
Signature: <i>William J. ...</i> General Manager/Division Director Date: 4/7/11	
<p>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.</p>	
Signature: <i>[Signature]</i> Regional Administrator Date: 4.7.2011	