

E Environment Committee
Meeting date: August 25, 2009

For the Metropolitan Council Meeting of September 9, 2009

ADVISORY INFORMATION

Date: August 19, 2009
Subject: Ratification of Declaration of Emergency to Repair Water Leak at Hastings Wastewater Treatment Plant
District(s), Member(s): 16, Wendy Wulff
Policy/Legal Reference: Council Policy 3-3, Expenditures
Staff Prepared/Presented: Micky Gutzmann 651-602-1741
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 repair of water leak at Hastings Wastewater treatment Plant.

Background

An increase in city water usage was observed at the Hastings Plant and an investigation identified a water leak in the plant water distribution system that needs to be repaired. The leak is located on a section of water main that is in the railroad right of way and there are several other lines in the area that will make excavating difficult and costly. The recommended corrective action is to reroute the line through the administration building and make the pipe connection on Council property further to the north.

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

Funding

The revised estimated cost for investigation and repairs is \$100,000 which is higher than the original estimate.

Known Support / Opposition

None.

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:	Repair leak in 6" city water line at the Hastings WWTP.
Explain why this situation is a present, immediate, and existing emergency:	The contractor is on site doing leak detection, excavation and line testing to find the source of the leak.
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:	The amount of water being billed for doubled in the first quarter of 2008 and is progressively increasing. Since the water is not flowing to the surface there is the potential to undermine roads and structures inside and outside the facility. A sudden loss of all water would cause equipment damage and disrupt the wastewater treatment process.
(Complete reverse side of form and sign)	

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<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:</p>	<p>Labor and materials to excavate the site and install a new water line within the plant. Efforts to excavate and repair the leak are cost prohibitive due to existing structures and the close proximity of the railroad.</p> <p>Estimated cost: \$43,500.00</p>
<p>Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):</p>	<p>The contractor, Bevlor Utilities was selected from the established blanket contract which is competitively bid each year.</p>
<p>Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:</p>	<p>A quote was obtained using the best initial information to repair the leak. Subsequent information and the unique site conditions make replacing the line more cost effective.</p>
<p>List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:</p>	<p>The blanket contract established by the procurement department was used in selecting the vender.</p>
<p>I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.</p>	
<p>Requestor's Signature: <i>Raul Santa</i> Title: <i>ABCM</i> Date: <i>8-12-09</i></p>	
<p>Signature: <i>[Signature]</i> General Manager/Division Director Date:</p>	
<p><small>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 \$25,000 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.</small></p>	
<p>Signature: <i>William J. M...</i> <i>Acting</i> Regional Administrator Date: <i>8/12/09</i></p>	