

E Environment Committee

Meeting date: January 9, 2007

For the Metropolitan Council Meeting of January 24, 2007

ADVISORY INFORMATION	
Date:	January 2, 2007
Subject:	Ratification of Declaration of Emergency to Repair Primary Digester at the Empire Wastewater Treatment Plant
District(s), Member(s):	District
Policy/Legal Reference:	Council Policy 3-3 – Expenditures
Staff Prepared/Presented:	Richard Halsted, 651-602-1038
Division/Department:	MCES c/o William G. Moore, 651-602-1162

Proposed Action/Motion

That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for repairing the primary digester at the Empire Wastewater Treatment Plant

Issue(s)

- With the loss of one of three primary anaerobic digesters at the Empire plant there is reduced capacity that will require transporting sludge to the Metro Plant. If the plant cannot adequately process the daily sludge production the ability to meet regulatory permit conditions will be affected.

Overview and Funding

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.

The estimated cost for repairs is approximately \$500,000.

Funding will be provided from the MCES Operating Budget.

Empire



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:

<p>Describe the nature of the emergency situation:</p>	<p>One of the three primary anaerobic digesters at the Empire WWTF experienced a structural failure of the fixed steel cover. Current estimates are that repairs may take several months. The sludge normally processed in this digester will need to be transported to the Metro plant.</p>
<p>Explain why this situation is a present, immediate, and existing emergency:</p>	<p>With the lost capacity, the plant's ability to reliably process sludge that is continually produced as part of the treatment process is compromised. The plant has only a few days of on-site storage capacity.</p>
<p>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:</p>	<p>If the plant is incapable of processing the daily sludge production, the treatment process eventually degrades to the point where effluent permit violations are anticipated.</p>

(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>1. Engineering evaluation of structural damage and designs for repair and an evaluation of digester operations and development of digester operating recovery plan which would prevent additional upset of the remaining digesters and further damage.</p> <p>2. Contractor labor and materials to clean, inspect, and repair damaged equipment.</p> <p>3. Procurement of Sodium Bicarbonate to stabilize the other two primary digesters.</p> <p>Estimated cost: \$500,000</p>
Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):	<p>The firm that designed the digesters was selected due to their knowledge of the design and construction of the structural components of the roof and the original process design criteria selection.</p> <p>Labor for cleaning and repairs is based on vendor availability and familiarity with the system.</p>
Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:	No quotes were obtained.
List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:	
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>[Signature]</i>	Title: <i>Dep Grm</i> Date: <i>12-11-06</i>
Signature: <i>[Signature]</i>	General Manager/Division Director Date: <i>12/11/06</i>
<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 \$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.</p>	
Signature: <i>[Signature]</i>	Regional Administrator Date: <i>12-13-06</i>