

**E Environment Committee  
Meeting date: October 12, 2010**

For the Metropolitan Council meeting of October 27, 2010

<b>ADVISORY INFORMATION</b>	
<b>Date:</b>	October 7, 2010
<b>Subject:</b>	Ratification of Declaration of Emergency for Flood Preparation and Protection
<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	Council Policy 3-3, Expenditures
<b>Staff Prepared/Presented:</b>	Mike Mereness 651-602-8296
<b>Division/Department:</b>	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 flood preparation and protection.

**Background**

Due to heavy rains in southern Minnesota flood conditions are projected for the Mississippi River, affecting the Metropolitan Plant. The river levels will reach elevations that require the plant to operate several large pumps to remove the treated flow from the plant and discharge to the raised river. Continuous operation of these pumps is critical to ensure the plant doesn't flood. To ensure the pumps continue to operate in the event of a power failure portable generators need to be rented.

Because river levels were originally expected to cover Childs Road, construction of a temporary access road between Warner Road and the top of the influent double barrel interceptor was included in the emergency declaration. Construction of the temporary road was cancelled when it became clear the river levels would not exceed the elevation of the road.

**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**

Estimated cost for the flood preparation and protection measures is \$130,000.

**Known Support / Opposition**

None

### Justification for and Declaration of Emergency

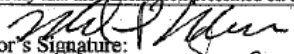
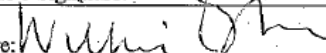
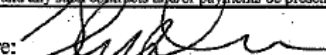
**"A declared public emergency is an emergency situation in which the health, safety or welfare of the public or the safety of Metropolitan Council employees or facilities is compromised or potentially compromised and requires immediate action to correct."**

**I REQUEST THAT A PUBLIC EMERGENCY BE DECLARED, BASED UPON THE FOLLOWING:**

<p>Describe the nature of the emergency situation:</p>	<p>Due to heavy rains in the Minnesota and Mississippi river basins it is predicted that the Mississippi river at the Metro Plant will reach levels high enough to require the operation of the plant's effluent pumps and in the likely flooding of the road leading to the plant (Childs Road). The current forecast is the river will reach these high levels by September 26<sup>th</sup> and could persist for 2 to 3 weeks.</p>
<p>Explain why this situation is a present, immediate, and existing emergency:</p>	<p>During high river levels the effluent pumps are necessary to pump the plant's treated effluent out of the plant and "up" to the river. These pumps require electrical power to operate. Should a power outage from the electrical utility occur and the pumps quit operating the waste water entering the plant would have to be diverted to the river to avoid flooding the plant. Renting portable generators to provide backup power is needed to ensure continuous operation of the pumps.</p> <p>Should the river levels start to flood Childs Road access to the plant would be compromised. To ensure vehicles can gain access to the plant a temporary ramp is built at the north end of Childs Road from the Warner Road ramp to the top of the double barrel interceptor. The top of the interceptor is at an elevation above the high river level.</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 effluent pumps lose power during high river conditions then untreated waste water would need to be diverted to the river to avoid flooding the plant with the incoming waste water flow. Flooding of the plant would likely result in significant damage to the plant processes and equipment such that even when the river levels recede the plant would be unable to treat waste water efficiently for a significant period of time.</p> <p>Access to the plant is essential for the employees who operate and maintain the plant. Without proper staffing the plant will not operate properly likely resulting in the discharge of poorly treated waste water.</p>

(Complete reverse side of form and sign)

**Justification for and Declaration of Emergency, Page 2**

<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:</p>	<p>Rental generators must be obtained and rented for the estimated three week duration of the high water. Estimated cost is \$90K.</p> <p>A contractor must be obtained to construct the temporary ramp and return the road to its current condition when the river levels recede. Estimated cost is \$40K.</p> <p>Estimated cost: \$130,000 total.</p>
<p>Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):</p>	<p>Chose the generator supplier based upon they had the generators available on an immediate basis.</p> <p>Will choose the ramp construction contractor off the Emergency Contractor list</p>
<p>Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:</p>	<p>N/A</p>
<p>List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:</p>	<p>None</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: </p>	<p>Title :Metro Plant Director Date: September 23, 2010</p>
<p>Signature: </p>	<p>General Manager/Division Director Date: 9/23/10</p>
<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>	
<p>Signature: </p>	<p>Regional Administrator Date: 9-23-10</p>