

E Environment Committee
Meeting date: February 8, 2011

For the Metropolitan Council Meeting of February 23, 2011

ADVISORY INFORMATION

Date: February 8, 2011

Subject: Ratification of Declaration of Emergency for Flood Preparation and Protection

District(s), Member(s): All

Policy/Legal Reference: Council Policy 3-3, Expenditures

Staff Prepared/Presented: Bryce Pickart 651-602-1091

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 flood preparation and protection.

Background

Flood conditions are projected for the Mississippi River, affecting the Metropolitan Plant. Because river levels may reach the elevation of Childs Road, construction of a temporary access road between Warner Road and the top of the influent double barrel interceptor will be required to provide plant access. Access road preparations must be undertaken in March to ensure Metropolitan Plant access. Flood conditions are also anticipated for all MCES Plants.

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 \$400,000.

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:

Describe the nature of the emergency situation:	Flooding of the Minnesota and Mississippi Rivers is anticipated in March – April 2011.												
Explain why this situation is a present, immediate, and existing emergency:	Blue Lake Plant needs standby effluent pumps. Hastings Plant needs dike improvements. Metro Plant needs temporary access road and other emergency measures.												
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:	Inadequate access and protection endangers critical wastewater infrastructure, which would create public health hazard.												
Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:	<table style="width: 100%; border: none;"> <tr> <td style="padding-right: 20px;">Blue Lake Plant</td> <td style="padding-right: 20px;">\$100,000</td> <td>Pumps</td> </tr> <tr> <td>Hastings Plant</td> <td>\$100,000</td> <td>Dike Access</td> </tr> <tr> <td>Metro Plant</td> <td>\$200,000</td> <td>Access Road and Equipment</td> </tr> <tr> <td colspan="3">Estimated cost: \$\$400,000</td> </tr> </table>	Blue Lake Plant	\$100,000	Pumps	Hastings Plant	\$100,000	Dike Access	Metro Plant	\$200,000	Access Road and Equipment	Estimated cost: \$\$400,000		
Blue Lake Plant	\$100,000	Pumps											
Hastings Plant	\$100,000	Dike Access											
Metro Plant	\$200,000	Access Road and Equipment											
Estimated cost: \$\$400,000													
Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):	Based on equipment availability and availability to perform quickly.												
Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:													
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: Bryce D. Picbart Title: AGM-TS Date: 2/8/11

Signature: William J. [Signature] General Manager/Division Director Date: 2/8/11

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.

Signature: [Signature] Regional Administrator Date: 02/08/2011