

## **SUBJECT**

### **BOARD RESOLUTION NO. 17-757**

Pertaining to a Notice to Terminate the Trout Brook Sewer Interceptor Location Services Agreement with Capital Regions Watershed District.

## **BACKGROUND INFORMATION**

Staff is requesting termination of an agreement whereby SPRWS provides Gopher State One Call locating of the District's Trout Brook Sewer. The proposed Notice would be effective September 1, 2017, thereby providing the 3-month notice required by the agreement.

See attached Report, map of Trout Brook Sewer and proposed Notice.

## **RECOMMENDATION**

Approval is recommended.

## **REPORT**

### **Notice to Terminate the Trout Brook Sewer Interceptor Location Services Agreement with Capital Regions Watershed District.**

May 9, 2017

Staff is requesting termination of an agreement whereby SPRWS provides Gopher State One Call locating of the District's Trout Brook Sewer.

For the following reasons, staff has found it almost impossible to locate the sewer with any degree of certainty: 1) the District does not have good plans showing where the sewer is located, 2) there are very few manholes or other surface features of the sewer and 3) SPRWS water pipe locating equipment does not work on concrete sewer pipe.

Board and the District entered into this long-term agreement in 2008 for these services for the following lump sum annual charges:

Initial Term	2008 through 2012	\$10,000 per year
2nd Term	2013 through 2017	\$12,500 per year
3rd Term	2018 through 2022	\$14,400 per year
4th Term	2023 through 2027	\$17,300 per year

The charges more than compensate the Board for the time SPRWS put into the work, but the inability to locate the pipe with certainty and the liability that accompanied that are the primary reasons for termination.

SPRWS Damage Prevention Unit (DPU) had ceased locating the sewer at the end of 2012. However, miscommunication resulted in SPRWS accounting continued to bill the District. Once this miscommunication was discovered in October 2016, SPRWS Engineering immediately contacted the District, explained the absence of locating since 2013, and expressed the desire to no longer provide this service. A refund of \$50,000 was processed for 2013-2016 charges paid by the District.

SPRWS is working with the District to find locating services. Saint Paul Public Works (StPPW) would be a good option for the District because it already locates its own sewers in the city. SPRWS asked StPPW on behalf of the District if it would be willing to perform the locating, but they refused.

The District is aware the proposed termination will be effective September 1, 2017 and has requested that SPRWS provide locating services until that time. Although still difficult to locate the sewer, DPU has agreed.