

**OPPD Board of Directors – All Committees Meeting  
 Tuesday, June 15, 2021**

**CLOSED SESSION – 8:00 AM – PUBLIC SESSION 10:00 A.M.**

*Public may attend by going to [www.oppd.com/CommitteeAgenda](http://www.oppd.com/CommitteeAgenda) to access the Webex meeting link and view instructions.*

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
1. <b>Chair Opening Statement</b>		Bogner	<b>8:00 A.M.</b>
2. <b>Closed Session</b>			<b>8:10 A.M.</b>
Enterprise Risk Management Quarterly Update	Reporting	Focht	30 min
Polar Vortex After Action Review	Reporting	Focht	30 min
Corporate Officer Performance Reviews & Compensation Adjustments – Juli Comstock & Lisa Olson	Action	Burke	30 min
<b>BREAK</b>			<b>9:40 A.M.</b>
<i>Open Webex Meeting to Allow Public to Join</i>			<b>9:45 A.M.</b>
3. <b>Public Session – Chair Opening Statement</b>		Bogner	<b>10:00 A.M.</b>
4. <b>Safety Briefing</b>		Burke	<b>10:05 A.M.</b>
5. <b>Governance Committee</b>			<b>10:10 A.M.</b>
Governance Chair Report (6/10/21)	Reporting	Moody	10 min
SD-15: Enterprise Risk Management Monitoring Report	Action	Focht	30 min
Annual Health Plan Report	Action	Sedky	20 min
6. <b>Finance Committee</b>			<b>11:10 A.M.</b>
Finance Chair Report (6/3/21)	Reporting	Yoder	10 min
SD-2: Rates Monitoring Report	Action	Fernandez	60 min
<b>BREAK FOR LUNCH</b>			<b>12:20 P.M.</b>
<b>Finance Committee (continued)</b>			<b>12:50 P.M.</b>
Authorization for Additional Debt Financing	Action	Fernandez	20 min
Rate Design Changes to Rate 110M, 469W and 483	Action	Fernandez	20 min
7. <b>System Management &amp; Nuclear Oversight Cmte</b>			<b>1:30 P.M.</b>
SM&NO Chair Report	Reporting	Williams	10 min
Underground Streetlight Cable Repair Contract	Action	Via	10 min
Substation Control Building Enclosure	Action	Via	10 min
Foundations, Ductlines, and Miscellaneous Work for 161kV Substation	Action	Via	10 min
BRIGHT Project Update	Presentation	Fisher	30 min
Nuclear Oversight Committee Report	Reporting	Fisher	10 min
<b>BREAK</b>			<b>2:50 P.M.</b>
8. <b>Public Information Committee</b>			<b>3:00 P.M.</b>
Public Information Chair Report (6/8/21)	Reporting	Mollhoff	10 min
<ul style="list-style-type: none"> <li>Customer Trends Update (<i>Due to time, will not be presented. Update will be posted on oppd.com.</i>)</li> </ul>			
Legislative and Regulatory Update	Reporting	Olson	30 min

\* All times and duration are estimates. Please use the link below to find board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at [www.oppd.com/BoardMeetings](http://www.oppd.com/BoardMeetings).

	<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
9.	<b>Other Business</b>			<b>3:40 P.M.</b>
	Confirmation of Board Meeting Agenda	Action	Bogner	5 min
	Review of Board Work Plan	Discussion	Bogner	5 min



# Board Action

## BOARD OF DIRECTORS

June 15, 2021

### ITEM

Award Underground Street Light Cable Repair

### PURPOSE

Board of Directors authorization to award a contract for construction services associated with the repair of underground street light cable.

### FACTS

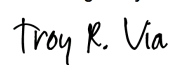
- a. Contract provides additional construction labor to support the District's current resources.
- b. Contract is for time and labor, based on unit pricing.
- c. Contract provides a three (3) year initial term, with the option to renew three (3) additional (1) year terms.
- d. Five (5) proposals were received. The proposals are legally and technically responsive.
- e. Nielsen Construction's proposal was evaluated to be the lowest and best bid.
- f. Construction will begin June 2021.

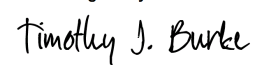
### ACTION

Authorization by the Board to award a labor contract to Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms based on Management's assessment of the contractor's performance and pricing, based on the evaluation of RFP No. 5877 "Underground Street Light Cable Repair" for the procurement of construction services to replace failed cable for existing street lights. The projected work for the underground street light repairs during the first year, June 2021 to June 2022, is Six Hundred Eighty Eight Thousand, Nine Hundred Fifty dollars (\$688,950.00).

#### RECOMMENDED:

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
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 \_\_\_\_\_  
 Troy R. Via  
 Vice President – Energy Delivery

DocuSigned by:  
  
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 \_\_\_\_\_  
 Timothy J. Burke  
 President and Chief Executive Officer

Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution



**MEMORANDUM**

Date: June 15, 2021

From: J. E. Buckley

To: T. R. Via

RFP No. 5877  
 “Underground Street Light Cable Repair”  
Analysis of Proposals

1.00 GENERAL

RFP No. 5877 was advertised for bid on April 9, 2021.

This contract will procure construction services for the replacement of failed/damaged cable to existing street lights.

Construction is scheduled to begin June 25, 2021 and conclude by June 25, 2027.

OPPD will award this contract for a three (3) year initial term, beginning in calendar year 2021. OPPD will have option to renew the contract with three (3) additional one (1) year contract renewal terms.

No Addendums were issued.

One (1) Letter of Clarification was issued. Letter was sent to all bidders on April 29, 2021. The letter answered nine general questions. All questions were submitted by the question submission deadlines.

Bids were requested and opened at 2:00p.m., C.S.T., Tuesday, May 11, 2021.

Five total proposals were received. The proposals received are summarized in the table below:

Bidder	Unit Pricing Total	Legally Responsive	Technically Responsive
Nebcon Inc.	\$1,543,150.00	Yes	Yes
Bauer Underground Inc.	\$2,491,850.00	Yes	Yes
Nielsen Construction	\$688,950.00	Yes	Yes
Danielson Incorporated	\$1,339,152.50	Yes	Yes
MP Nexlevel, LLC	\$1,264,368.00	Yes	Yes

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

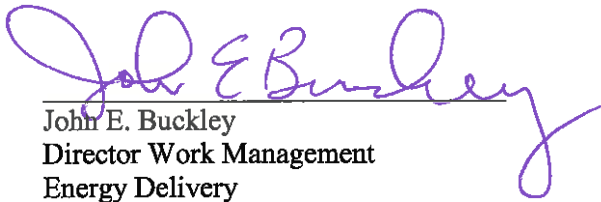
The District's legal counsel noted that subject to the District's technical and economic evaluation, the five (5) proposals received in response to the District's RFP No. 5877 may be considered by the District's Board of Directors for award of this contract.


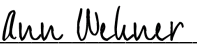
3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS


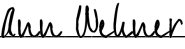
All proposals were deemed to be technically responsive.

4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5877 "Underground Street Light Cable Repair" be awarded to Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms based on Management's assessment of the contractor's performance and pricing. The projected work for the underground street light repairs during the first year, June 2021 to June 2022, is Six Hundred Eighty Eight Thousand, Nine Hundred Fifty dollars (\$688,950.00).

  
John E. Buckley  
Director Work Management  
Energy Delivery

<p align="center"><b>TABULATION OF BIDS</b>  <b>Opened at 2:00 p.m., C.D.T., Tuesday,</b>  <b>May 11, 2021, in Omaha, Nebraska</b></p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5877</b>  <b>Underground Street Light Cable Repair</b></p> <p align="right">Page 1 of 2</p>			<p>DocuSigned by:    <small>9426AD61477A4855</small>  <b>Director</b></p> <p>DocuSigned by:    <small>7A5578D7B4D4F8A</small>  <b>Supply Chain Management</b>  <b>Compiled by and Certified Correct</b></p>
<p align="center"><b>Anticipated Award Date</b>  <b>June 17, 2021</b></p>				
<p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center"><b><u>\$860,161.00</u></b></p>				
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p align="center"><b>Bauer Underground</b>  <b>3700 W Norfolk Ave</b>  <b>Norfolk, NE 68702</b></p>	<p align="center"><b>Danielson Construction</b>  <b>12920 Jaynes Circle</b>  <b>Omaha, NE 68164</b></p>	<p align="center"><b>MP Nexlevel</b>  <b>9938 State Hwy 55</b>  <b>Maple Lake, MN 55358</b></p>	
<p><b>1. <u>Price Proposal:</u></b>  <b>Underground Street Light Cable Repair</b></p> <p><b>Lump Sum Firm Price of Unit Prices in Attachment A</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$2,491,850.00</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$1,339,152.50</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$1,264,368.00</u></p>	

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Tuesday,                  May 11, 2021, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5877</b>  <b>Underground Street Light Cable Repair</b></p> <p align="right">Page 2 of 2</p>		<p>DocuSigned by:                    9426AD61477A406  <b>Director</b></p> <p>DocuSigned by:    <b>Supply Chain Management</b>                  Compiled by and Certified Correct</p>
<p align="center">Anticipated Award Date                  June 17, 2021</p>			
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center"><u>\$860,161.00</u></p>			
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>		
	<p align="center">NebCon Inc.                  1571 Deer Creek Drive                  Fort Calhoun, NE 68023</p>	<p align="center">Nielsen Construction                  10120 S. 148th Street                  Omaha, NE 68138</p>	
<p><b>1. Price Proposal:</b>                  Underground Street Light Cable Repair</p> <p><b>Lump Sum Firm Price of Unit Prices in Attachment A</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$1,543,150.00</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$688,950.00</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center">_____</p>



**FRASER STRYKER**

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**STEPHEN M. BRUCKNER**  
**DIRECT DIAL: 402.978.5225**  
**SBRUCKNER@FRASERSTRYKER.COM**

May 17, 2021

Omaha Public Power District  
444 South 16<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 5877 -Underground Streetlight Cable Repair ("RFP No 5877")

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to RFP No. 5877. The proposals are complete and none of the bidders take exception to the District's contract documents.

Subject to the District's technical and economic evaluation, all of the proposals for RFP No. 5877 may be considered by the District's Board of Directors for the award of the contract. If a bond is required, the form of the bond for the successful bidder also must be approved by the Board.

Very truly yours,

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2497274





Williams/Via

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, sealed bids were requested and advertised, as required by law, for the following:

**REQUEST FOR PROPOSAL (RFP) NO. 5877**  
**UNDERGROUND STREET LIGHT CABLE REPAIR**

**WHEREAS**, bids were received and opened at the time and place mentioned in the published notices and the Director – Supply Chain Management supervised the tabulations, which have been submitted to this Board; and

**WHEREAS**, RFP No. 5877 is for an initial three (3) year contract term with the option for OPPD to renew the contract with the successful bidder for up to three (3) additional one (1) year contract renewal terms, based on OPPD’s annual assessment of Contractor’s performance and pricing; and

**WHEREAS**, the Board of Directors has carefully considered the bids submitted, as well as the recommendations of the District’s Management and General Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that Management hereby is authorized and directed to accept the proposal of Nielsen Construction to procure labor to replace failed cable for existing street lights, as set forth in the Request for Proposal No. 5877 “Underground Street Light Cable Repair” and to enter into a contract with Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms, based on Management’s assessment of the contractor’s performance and pricing, and the bond of such bidder hereby is approved.



# Board Action

## BOARD OF DIRECTORS

June 15, 2021

### ITEM

Award RFP No. 5859 "Substation Control Building Enclosure"

### PURPOSE

Board of Directors authorization to award Request for Proposal (RFP) No. 5859 to provide material and construction services for one (1) Substation Control Building Enclosure to support development of a new substation.

### FACTS


- a. Development of this substation supports load growth and reliability in the Sarpy County area.
- b. Substation control buildings house equipment to monitor, control, protect, operate, and maintain the energy delivery system.
- c. Four (4) proposals were received. Three proposals are legally responsive and two technically responsive.
- d. Delivery of the substation control building enclosure is scheduled for February 11, 2022.
- e. The bid from Electrical Power Products, Inc. was evaluated to be the lowest and best bid.


### ACTION

Authorization by the Board to award the contract for RFP 5859 Substation Control Building Enclosure to Electrical Power Products, Inc. in the amount of One Million, One Hundred Fifteen Thousand, Seven Hundred Eleven dollars (\$1,115,711.00).

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
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 Troy R. Via  
 Vice President – Energy Delivery

DocuSigned by:  
  
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 Timothy J. Burke  
 President and Chief Executive Officer

TRV:mre

- Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution



# MEMORANDUM

Date: June 11, 2021

From: D. D. Buelt

To: T. R. Via

RFP No. 5859  
“Substation Control Building Enclosure”  
Analysis of Proposals

## 1.00 GENERAL

RFP No. 5859 was advertised for bid on May 11, 2021.

This contract will procure one (1) complete control building delivered to the substation with included equipped building, relay panels, batteries and other substation building equipment to support load growth and reliability in the Sarpy County area.

Delivery of the substation control building enclosure is scheduled for February 11, 2022.

No Letters of Clarification (LOC) or Addendums were issued.

Bids were requested and opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021.

Four total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
AZZ Enclosure Systems	\$601,157.00	No	No
Electrical Power Products, Inc.	\$1,115,711.00	Yes	Yes
Keystone Electrical Manufacturing	\$1,135,343.98	Yes	No
Electro Technical Industries	\$1,978,684.46	Yes	Yes

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

In the opinion of the District’s legal counsel the proposal from AZZ specifies that the project will be governed by AZZ's preprinted contract terms and conditions. This renders the proposal materially non-responsive to the District's RFP, and the AZZ proposal cannot be considered by the

## MEMORANDUM

Board of Directors for the award of this contract. Proposals from Keystone Electrical Manufacturing Co. and Electrical Power Products, Inc. both stated that they are valid for thirty (30) days and if this is not sufficient for Board review and approval, letters are clarification must be obtained. These two proposals also include guarantee completion dates for the work in terms of specified number of weeks following receipt of an order. In its evaluation, the District will have to assume the latest date specified for the date the District anticipates issuing a contract for this RFP. Finally, both proposals contain technical clarifications and exceptions, including freight, warranty, and payment, that are subject to evaluation by the District.

The proposal of Electro Technical Industries does not contain any exceptions or clarifications.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received for RFP No. 5859, with the exception of the AZZ's proposal, may be considered by the Board of Directors for the award of this contract. The form of performance and payment bond, if applicable, must be approved by the Board.

### 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS


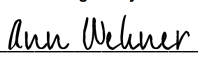
Two proposals received are technically responsive and two proposal are technically non-responsive as the bids excluded unit pricing for building contents; i.e. relay panels, batteries, etc.



### 4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5859, "Substation Control Building Enclosure" be awarded to Electrical Power Products, Inc. in the amount of One Million, One Hundred Fifteen Thousand, Seven Hundred Eleven (\$1,115,711.00).

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Dannie Buelt, PE  
Director Engineering  
Energy Delivery

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Tuesday,                  June 8, 2021, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5859</b>  <b>Substation Control Building Enclosure</b></p> <p align="right">Page 1 of 2</p>			<p>DocuSigned by:                    9426AD61477A4155  <b>Director</b></p> <p>DocuSigned by:                    71673897D90F8  <b>Supply Chain Management</b>                  Completed by and Certified Correct</p>
<p align="center">Anticipated Award Date                  June 17, 2021</p>				
<p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$1,400,000.00</p>				
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p align="center"><b>AZZ</b>                  1801 East 27th Street Terrace                  Pittsburg, KS 66762</p>	<p align="center"><b>Electrical Power Products</b>                  4240 Army Post Road                  Des Moines, IA 50321</p>	<p align="center"><b>Electro Technical Industries</b>                  303 Little York Road                  Houston, TX 77076</p>	
<p><b>1. Price Proposal:</b></p> <p><b>1.1 Firm base price to furnish one (1) Sub 1362 Substation Control Building Enclosure as indicated on the drawings and detailed in the technical specifications of this RFP.</b></p> <p><b>1.2 Firm base price to deliver, FOB foundation, to the delivery location, and complete Sub 1362 Substation Control Building Enclosure installation, and completing any punch list items per drawings and as detailed in the technical specifications of this RFP.</b></p> <p><b>1.3 Total lump sum price to furnish, deliver and install Sub 1362 Substation Control Building Enclosure. (Proposal Price(s) 1.1 + 1.2)</b></p> <p><b>2. Completion Guarantee(s):</b></p> <p>Sub 1362: February 11, 2022</p> <p><b>*Freight not included</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	
	<p align="center">\$559,282.00*</p> <p align="center">\$41,875.00</p> <p align="center">\$601,157.00*</p> <p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">18 weeks lead time</p>	<p align="center">\$1,055,067.00</p> <p align="center">\$60,644.00</p> <p align="center">\$1,115,711.00</p> <p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">22-24 weeks ARO</p>	<p align="center">\$1,890,384.46</p> <p align="center">\$88,300.00</p> <p align="center">\$1,978,684.46</p> <p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">February 11, 2022</p>	

<b>TABULATION OF BIDS</b> Opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021, in Omaha, Nebraska	<b>REQUEST FOR PROPOSAL NO. 5859</b> <b>Substation Control Building Enclosure</b>	DocuSigned by:  9426AD61477A435... <b>Director</b>
Anticipated Award Date June 17, 2021		DocuSigned by:  F8B5A3C97DAD4F8... <b>Supply Chain Management</b>
<b>ENGINEER'S ESTIMATE</b>  \$1,400,000.00		<b>Compiled by and Certified Correct</b>

BID ITEM	BIDDER'S NAME & ADDRESS		
	Keystone Electrical 2511 Bell Ave Des Moines, IA 50321		
	SUPPLIER'S BID	SUPPLIER'S BID	SUPPLIER'S BID
<b>1. <u>Price Proposal:</u></b>  <b>1.1 Firm base price to furnish one (1) Sub 1362 Substation Control Building Enclosure as indicated on the drawings and detailed in the technical specifications of this RFP.</b>  <b>1.2 Firm base price to deliver, FOB foundation, to the delivery location, and complete Sub 1362 Substation Control Building Enclosure installation, and completing any punch list items per drawings and as detailed in the technical specifications of this RFP.</b>  <b>1.3 Total lump sum price to furnish, deliver and install Sub 1362 Substation Control Building Enclosure. (Proposal Price(s) 1.1 + 1.2)</b>	_____  _____  _____  \$1,135,343.98	_____  _____  _____  _____	_____  _____  _____  _____
<b>2. <u>Completion Guarantee(s):</u></b>  Sub 1362: February 11, 2022	<b><u>Guaranteed Completion Date</u></b>  12-14 weeks ARO	<b><u>Guaranteed Completion Date</u></b>  _____	<b><u>Guaranteed Completion Date</u></b>  _____



## FRASER STRYKER

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STEPHEN M. BRUCKNER  
DIRECT DIAL: 402.978.5225  
SBRUCKNER@FRASERSTRYKER.COM

June 9, 2021

Omaha Public Power District  
444 South 16<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 5859-Substation 1362 ("RFP No. 5859")

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to RFP No. 5859 and provide the following legal opinion.

The proposal of AZZ, Inc. specifies that the project will be governed by AZZ's preprinted contract terms and conditions. This renders the proposal materially non-responsive to the District's RFP, and the AZZ proposal cannot be considered by the Board of Directors for the award of this contract.

The proposals of Keystone Electrical Manufacturing Co. and Electrical Power Products, Inc. both state that the proposals are valid for thirty (30) days. If this time is not sufficient for Board review and approval, letters of clarifications must be obtained from these bidders stating that the proposals will remain valid for the period of time necessary for Board review and approval. Additionally, these two proposals also state the requested delivery date as a matter of weeks "after receipt of order" from the District. In its evaluation, the District will have to assume the latest date specified from the date the District anticipates issuing a contract for this RFP. Finally, both proposals contain technical clarifications and exceptions, including freight, warranty, and payment, that are subject to evaluation by the District.

The proposal of Electro Technical Industries, Inc. does not contain any exceptions or clarifications.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received for RFP No. 5859, with the exception of the AZZ, Inc. proposal, may be considered by the Board of Directors for the award of this contract. The form of performance and payment bond, if applicable, must be approved by the Board.

June 9, 2021  
Page 2

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2592383





Williams/Via

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, sealed bids were requested and advertised, as required by law, for the following:

**REQUEST FOR PROPOSAL (RFP) NO. 5859**  
**SUBSTATION CONTROL BUILDING ENCLOSURE**

**WHEREAS**, bids were received and opened at the time and place mentioned in the published notices and the Director – Supply Chain Management supervised the tabulations, which have been submitted to this Board; and

**WHEREAS**, the Board of Directors has carefully considered the bids submitted, as well as the recommendations of the District's Management and General Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that Management hereby is authorized and directed to accept the proposal of Electrical Power Products, Inc. in the amount of \$1,115,711.00 for a substation control building enclosure pursuant to Request for Proposal No. 5859, and the form of payment and performance bond for such bidder hereby is approved.

# Substation Control Buildings



Substation Control Buildings house equipment to monitor, control, protect, operate, and maintain the energy delivery system.



# Board Action

## BOARD OF DIRECTORS

June 15, 2021

### ITEM

Award RFP No. 5881 "Foundations, Ductlines, and Miscellaneous Work for 161kV Substation"

### PURPOSE

Board of Directors authorization to award Request for Proposal (RFP) No. 5881 Foundations, Ductlines, and Miscellaneous Work for 161kV Substation to support development of a new substation.

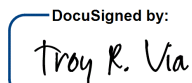
### FACTS

- a. RFP No. 5881 includes the receipt of materials and construction services for the development of a substation to support load growth and reliability in the Sarpy County area.
- b. Substation foundations provide structural bases for placement of steel supports and equipment including breakers, transformers and buildings. Ducts provide a conduit to electrically connect various devices. Grounding ensures safety to personnel in the substation and provides the ground connection for various devices. Miscellaneous work includes traffic control, material handling, stormwater control, rock surfacing, and other construction related activities.
- c. Six (6) proposals were received; five are legally responsive and all are technically responsive.
- d. Construction will begin August 2, 2021 and conclude December 15, 2021.
- e. The proposal from Peak Contracting Group, LLC was evaluated as the lowest and best bid.


### ACTION

Authorization by the Board to award the contract for RFP 5881 Foundations, Ductlines, and Miscellaneous Work for 161kV Substation to Peak Contracting Group, LLC in the amount of One Million, Five Thousand, Three Hundred Twenty Four dollars and 30 cents (\$1,005,324.30).

#### RECOMMENDED:

DocuSigned by:  
  
 181167221FA24AE...  
 Troy R. Via  
 Vice President – Energy Delivery

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 5DB1A0C8CE8D4D5...  
 Timothy J. Burke  
 President and Chief Executive Officer

TRV:mre

- Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution

Date: June 11, 2021

From: D. D. Buelt

To: T. R. Via

RFP No. 5881 “Foundations, Ductlines, and Miscellaneous Work for 161kV Substation”  
Analysis of Proposals

1.00 GENERAL

RFP No. 5881 was advertised for bid on May 11, 2021.

This contract will procure material and construction services for installation of foundations, ducts, and grounding of a new substation to support load growth and reliability in the Sarpy County area.

Construction is scheduled to begin August 2, 2021 and conclude December 15, 2021.

Three (3) Letters of Clarification (LOC) were issued to address questions on unit item quantities, permitting, geotechnical report, material, site power and temporary site fence.

Two (2) Addendums were issued to correct unit pricing quantities for three foundation items and a unit of measurement for the precast concrete raceway item.

Bids were requested and opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021.

Six total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Peak Contracting Group, LLC.	\$1,005,324.30	Yes	Yes
Dezort, Inc.	\$1,035,685.69*	Yes	Yes
Midwest Infrastructure, Inc.	\$1,199,515.28	Yes	Yes
Conductor Power, LLC.	\$1,333,181.57*	No	Yes
Thompson Construction, Inc.	\$1,349,150.96	Yes	Yes
Integrated Power Co.	\$1,462,186.32*	Yes	Yes

\*Evaluated pricing identified as Dezort - \$1,030,685.79, Conductor Power - \$1,333,179.57, and Integrated Power - \$1,462,256.32 due to unit pricing calculation error.

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

In the opinion of the District's legal counsel the proposal from Conductor Power, LLC did not list the guaranteed delivery dates as requested. The District would need to obtain a Letter of Clarification from Conductor Power stating that the dates set forth on its project schedule are the guaranteed completion dates for the project. No exceptions or clarifications or missing information was noted in any of the other five (5) proposals. Subject to the foregoing comments, District's technical and economic evaluation, proposals may be considered by the District's Board of Directors for award.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS



All proposals were deemed to be technically responsive.

## 4.00 RECOMMENDATION



On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5881 "Foundations, Ductlines, and Miscellaneous Work for 161kV Substation" be awarded to Peak Contracting Group, LLC. in the amount of One Million, Five Thousand, Three Hundred Twenty Four dollars and 30 cents (\$1,005,324.30).

---

Dannie Buelt, PE  
Director Engineering  
Energy Delivery

<p><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Tuesday,                  June 8, 2021, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5881</b>  <b>Foundation, Ductlines, and Miscellaneous Work for 161kV                  Substation</b></p> <p align="right">Page 1 of 2</p>			<p>DocuSigned by:                    9426AD61477A435...                  Director</p> <p>DocuSigned by:                    4DF7F693B99D4E6...                  Supply Chain Management                  Compiled by and Certified Correct</p>
<p>Anticipated Award Date                  June 17, 2021</p>				
<p><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$2,050,000.00</p>				
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p align="center">Conductor Power LLC                  LLC 4993 Gull Lake Dam Road                  Brainerd, MN 56401</p>	<p align="center">Dezort, Inc                  PO Box 217                  North Platte, NE 69103</p>	<p align="center">Integrated Power Co.                  PO Box 1743                  North Platte, NE 69103</p>	
	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	
<p><b>1. <u>Price Proposal:</u></b></p> <p>Attachment A Total Price</p> <p><b>2. <u>Delivery Guarantee(s):</u></b></p> <p>Mobilization</p> <p>Final Completion</p>	<p align="center">\$1,333,181.57</p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>None provided</u></p> <p align="center"><u>None provided</u></p>	<p align="center">\$1,035,685.69</p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>August 2, 2021</u></p> <p align="center"><u>December 15, 2021</u></p>	<p align="center">\$1,462,186.32</p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>August 2, 2021</u></p> <p align="center"><u>December 15, 2021</u></p>	



<p><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Tuesday,                  June 8, 2021, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 5881</b>  <b>Foundation, Ductlines, and Miscellaneous Work for 161kV Substation</b></p> <p align="right">Page 2 of 2</p>			<p>DocuSigned by:                    9426AD61477A435...                  Director                  Supply Chain Management                    4DF75693B98D4E8...                  Compiled by and Certified Correct</p>
<p>Anticipated Award Date                  June 17, 2021</p>				
<p><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$2,050,000.00</p>				
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p align="center">Midwest Infrastructure, Inc.                  5320 N 148th Street                  Lincoln, NE 68527</p>	<p align="center">Peak Contracting Group LLC                  515 South 3rd Street                  Springfield, NE 68059</p>	<p align="center">Thompson Construction, Inc                  2404 N Lincoln Ave                  Fremont, NE 68205</p>	
	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	<p align="center"><b>SUPPLIER'S BID</b></p>	
<p><b>1. Price Proposal:</b></p> <p>Attachment A Total price</p> <p><b>2. Completion Guarantee(s):</b></p> <p>Mobilization</p> <p>Final Completion</p>	<p align="center"><u>\$1,199,515.28</u></p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>August 2, 2021</u></p> <p align="center"><u>December 15, 2021</u></p>	<p align="center"><u>\$1,005,324.30</u></p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>August 2, 2021</u></p> <p align="center"><u>December 15, 2021</u></p>	<p align="center"><u>\$1,349,150.96</u></p> <p align="center"><u>Guaranteed Date</u></p> <p align="center"><u>August 2, 2021</u></p> <p align="center"><u>December 15, 2021</u></p>	



# FRASER STRYKER

PC LLO

LAWYERS

500 ENERGY PLAZA  
409 SOUTH 17TH STREET  
OMAHA, NEBRASKA 68102-2663  
TELEPHONE 402.341.6000  
TELEFAX 402.341.8290  
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STEPHEN M. BRUCKNER  
DIRECT DIAL: 402.978.5225  
SBRUCKNER@FRASERSTRYKER.COM

June 9, 2021

Omaha Public Power District  
444 South 16<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 5881-Foundations, Duct Lines and Miscellaneous Work  
for 161kV Substation ("RFP No. 5881")

Ladies and Gentlemen:

We reviewed the six (6) proposals received in response to RFP No. 5881 and provide the following legal opinion.

The Proposal section of the bid documents submitted by Conductor Power, LLC does not list the guaranteed delivery dates as requested in that section. However, on page 95 of the proposal, Conductor Power refers to a "project schedule" that is included in the proposal packet. The last page of the packet includes a project schedule that lists specified dates for this project. In order for the Conductor Power proposal to receive further consideration by the Board, the District should obtain a letter of clarification from Conductor Power stating that the dates set forth on its project schedule are the guaranteed completion dates for the project. Without this clarification, the Conductor Power proposal should not receive further consideration.

There are no exceptions or clarifications or missing information in any of the other five (5) proposals for this project.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received in response to RFP No. 5881 may be considered by the District's Board of Directors for the award of this contract. The performance and payment bond of the successful bidder also must be approved by the Board.

Very truly yours,

Stephen M. Bruckner  
FOR THE FIRM

SMB/sac  
2592334





Williams/Via

**DRAFT**  
**RESOLUTION NO. 64xx**

**WHEREAS**, sealed bids were requested and advertised, as required by law, for the following:

**REQUEST FOR PROPOSAL (RFP) NO. 5881  
FOUNDATIONS, DUCTLINES, AND MISCELLANEOUS WORK  
FOR 161KV SUBSTATION**

**WHEREAS**, bids were received and opened at the time and place mentioned in the published notices and the Director – Supply Chain Management supervised the tabulations, which have been submitted to this Board; and

**WHEREAS**, the Board of Directors has carefully considered the bids submitted, as well as the recommendations of the District’s Management and General Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that Management hereby is authorized and directed to accept the proposal of Peak Contracting Group LLC in the amount of \$1,005,324.30 for the construction of 161kV substation foundations, ductlines and miscellaneous work pursuant to Request for Proposal No. 5881, and the form of payment and performance bond for such bidder hereby is approved.

# Foundations, Ducts, Grounding Examples



Cable Trench



Pier Formwork



Pier Foundations



Rebar Cages

# BRIGHT Battery Pilot Update

Board of Directors Committee Meeting  
June 15, 2021

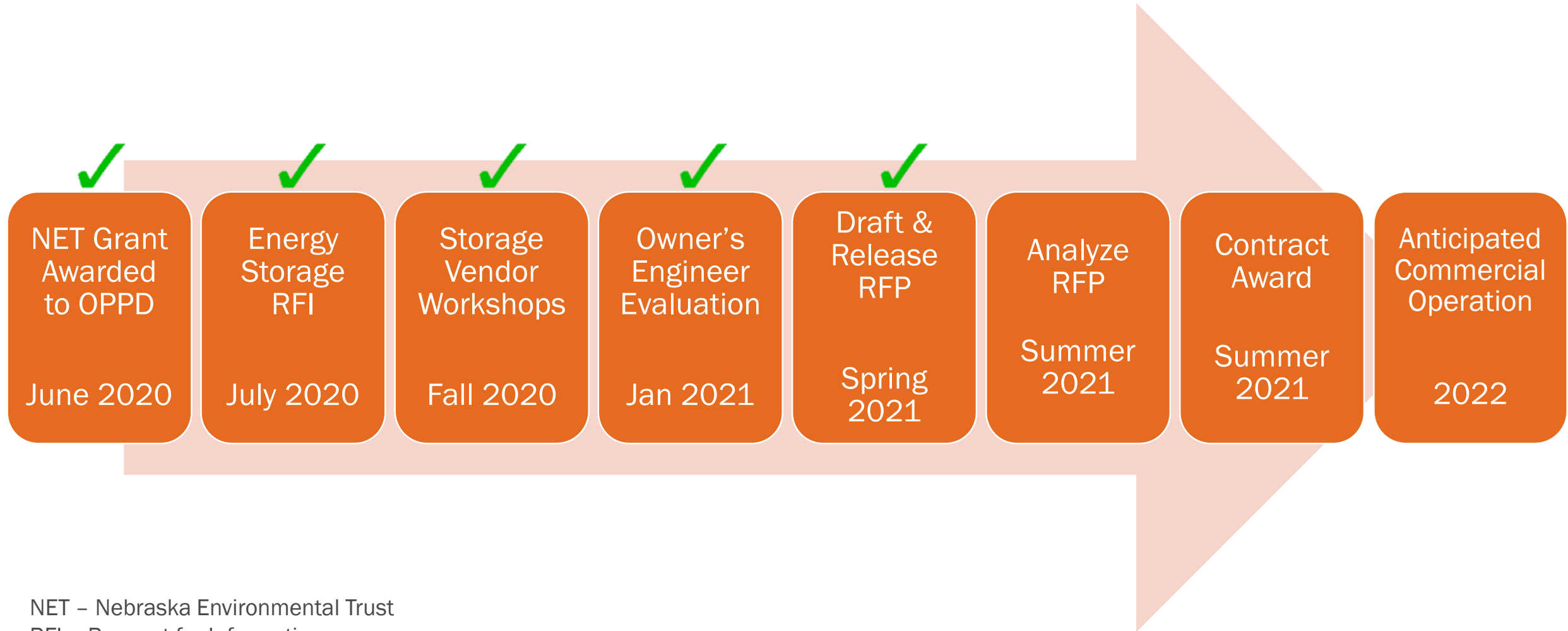


# Agenda

- Project Milestones
- Use Case Analysis
- Project Cycles & Sizing Selection
- State Regulatory Approval
- Next Steps



# BRIGHT Milestones



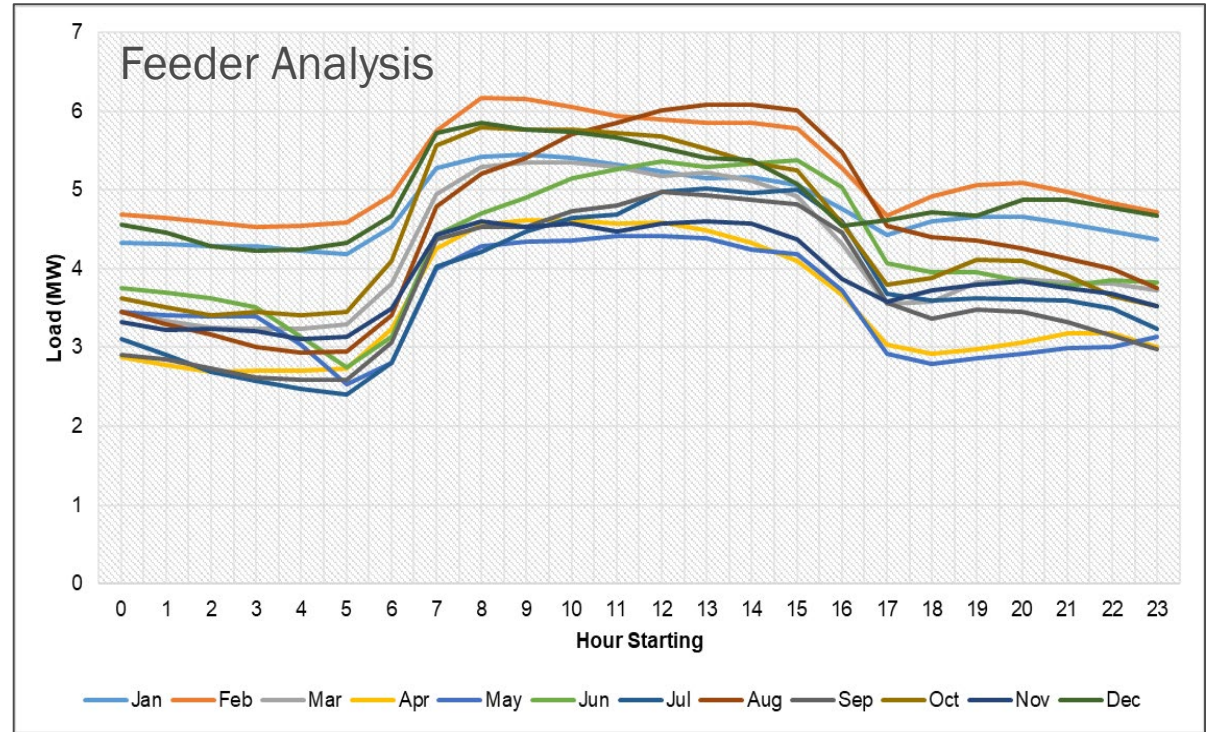
NET – Nebraska Environmental Trust  
RFI – Request for Information  
RFP – Request for Proposals

# Use Case Analysis



# Project Analysis

- Evaluation conducted
  - Site analysis
  - Substation feeder analysis
  - Technoeconomic analysis
- Key lessons learned:
  - Batteries provide a range of applications, but they cannot do everything at once
  - Certain use cases must be prioritized over others
  - Successful projects align on scope and sizing up front, then build RFP accordingly
  - Certain applications require extra cost and planning up front (i.e. equipment, design)



# Use Cases Evaluated for BRIGHT Project

Potential use cases consider cost, grant requirements, timeline, location, and organizational learning

Use Case	Description
Energy Shifting	Charging/discharging to move electricity consumption from one time period to another
-Peak Load Reduction	Defer or eliminate future system upgrade costs
-Energy Arbitrage	Provides value by charging during off-peak hours, discharging during peak hours
Voltage Support	Provides reactive power through the inverter
Southwest Power Pool Market Participation	Participates in SPP's energy and ancillary services market (current services: Real-Time & Day-Ahead Energy, Spinning and Supplemental Reserves, Regulation)
Microgrid	Used as a dispatchable distributed generator to temporarily reduce loading
Blackstart	Provides electricity to the grid without first utilizing outside power from the grid
N-1 Reliability	Provides grid support in event of the loss of another component (transformer, breaker, circuit, etc.)

**Out of Scope for BRIGHT Pilot:** Microgrid, Blackstart, N-1 Reliability due to significant additional cost and project scope for added equipment and substation redesign; requires prioritization over other applications



# Selected Use Cases & Other Project Benefits

## Use Cases

- Energy Shifting
  - Peak Load Reduction
  - Energy Arbitrage
- Voltage Support

## Inherent Benefits

- Increased Reliability
- Organizational Learning
- Stakeholder Outreach
- Safety

## Future Testing Opportunities

- Market Participation
  - 10-minute Spinning Reserve
  - Regulation
- Energy Shifting
  - Intra-Hour Arbitrage

# Battery Cycling & Sizing



# Battery Design: Capacity, Duration & Cycling

**Capacity** – the measure of the energy stored in the battery in megawatts (MW)

- Grant application defines 1MW capacity

**Duration** – the run time of the battery on a full charge measured in hours (hrs)

- 2-hr and 4-hr evaluated based on supporting project use cases; defined in RFP

**Cycle** – a full charge/discharge, or the equivalent, of the rated capacity

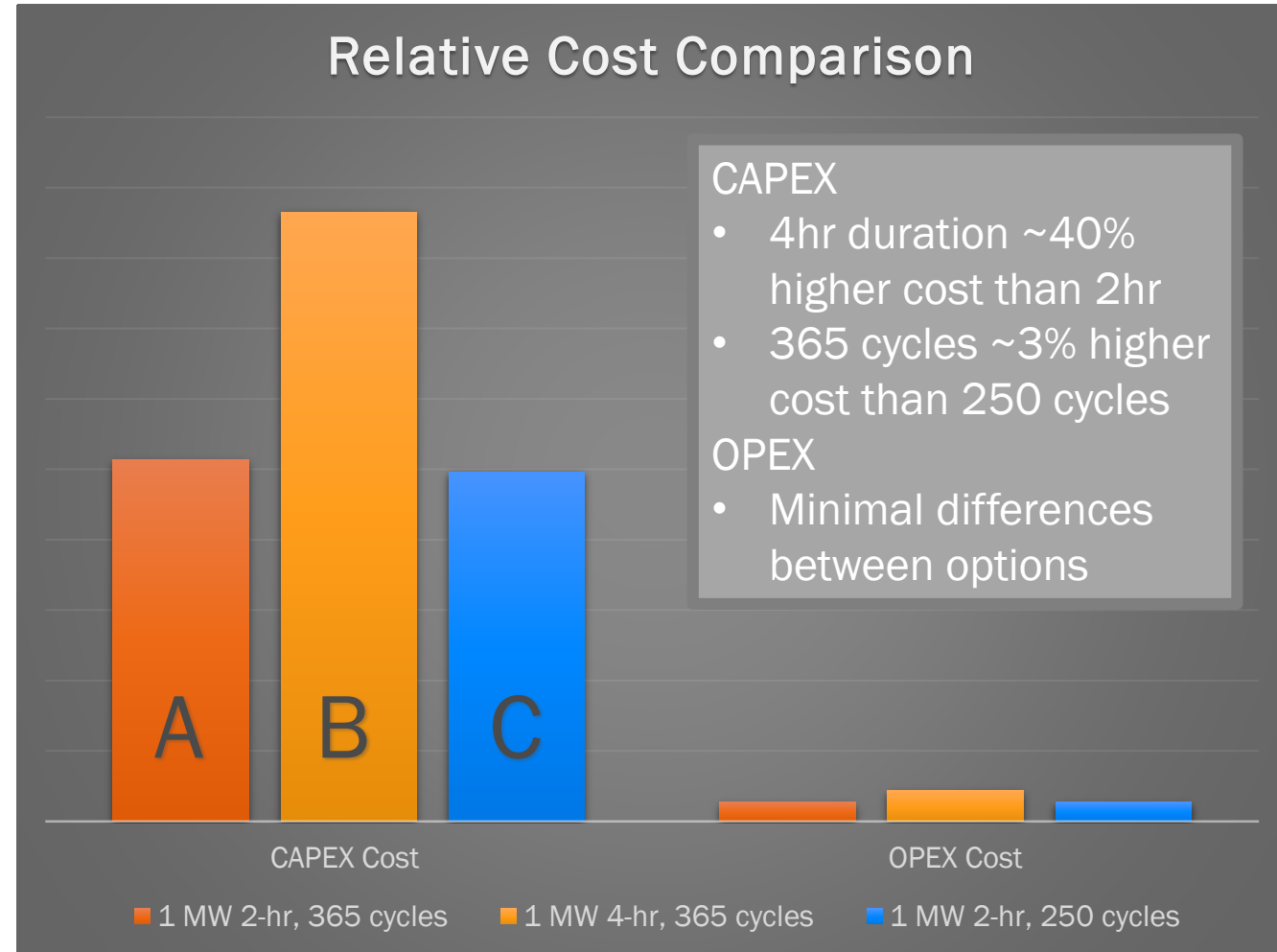
- Number of cycles defined in the RFP; does not affect the selection of use cases
- More cycles require larger capital cost to oversize the battery; increased flexibility for testing

# Size & Cycling Options

- ✓ **Option A: 1 MW 2-hr, 365 cycles:**
  - ~40% lower cost than 4 hour duration
  - Increased testing flexibility
  - Similar learning opportunities

- Option B: 1 MW 4-hr, 365 cycles:**
  - Significant cost increase for longer duration (~40%)
  - Increased testing flexibility
  - Similar learning opportunities

- Option C: 1 MW 2-hr, 250 cycles:**
  - Lowest cost given short duration and lower cycles
  - Reduced testing flexibility
  - Similar learning opportunities

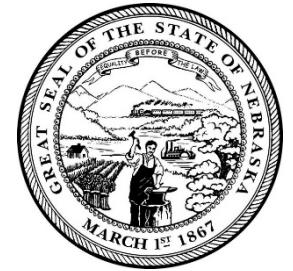


# State Regulatory Approval



# State Regulatory Approval

- Generation Application
- Timeline
  - June 15: Submit PRB application
  - July 12: PRB hearing/approval
- Uncertainties
  - Battery storage is not expressly addressed in Nebraska statutes



# Next Steps



*\*RFP responses will clarify timing of Commercial Operation Date*



# Reporting Item

June 15, 2021

## ITEM

Nuclear Oversight Committee Report

## PURPOSE

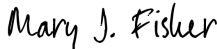
The Nuclear Oversight Committee provides a regular oversight of items related to the Fort Calhoun Station (FCS) nuclear plant.

## FACTS

In addition to safe and secure dry cask storage of fuel, the required Preventative Maintenance tasks and Surveillance Tests, the following major decommissioning activities were conducted in May:

- Significant progress has been made within the Deconstruction Area. The warehouse has been excavated below grade. Interior walls have been removed from the Maintenance and Chemistry buildings. Universal waste removal is nearing completion in the Auxiliary building.
- The Waste Processing Structure is operational. Waste is being transferred from the Deconstruction Area to the facility and loaded into rail cars located at the site. The first shipment to the disposal facility by rail is expected to be completed soon.
- Planning and fabrication of specialty tools to be utilized in vessel segmentation is on track. Additional equipment for this activity including a gantry crane has arrived and is being assembled in the Containment building. Creating an opening in containment for access will begin in the third quarter of this year.

### RECOMMENDED:

DocuSigned by:  
  
G185DDBBB12A4BA...  
 Mary J. Fisher  
 Vice President – Energy Production  
 and Nuclear Decommissioning

### APPROVED FOR REPORTING TO BOARD:

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 Timothy J. Burke  
 President and Chief Executive Officer

MJF:tsu





## Pre-Committee Agenda

### PUBLIC INFORMATION PRE-COMMITTEE MEETING WEBEX VIDEOCONFERENCE

Tuesday, June 8, 2021 4:00 – 5:30 P.M.

1. Legislative and Regulatory Update (15 min)
  - a. Objective: Provide brief update on federal and state legislative and regulatory activities
2. Confirmation of Board Work Plan – Public Information Committee Items (10 min)
  - a. Objective: Discuss Public Information Committee items on the Board work plan
3. Block Rate Project Update (60 min)
  - a. Objective: Review action plan towards elimination of declining block rates for Rate 110, Rate 230 and other applicable rates.
4. Summary of Committee Direction (5 min)
  - a. Objective: Senior management team liaison(s) to summarize direction provided by the committee



# Reporting Item

## BOARD OF DIRECTORS

June 15, 2021

### ITEM

Customer Trends Update *[Note: Not presented due to time. Update posted on oppd.com.]*

### PURPOSE

To provide an update on customer trends and energy assistance

### FACTS

1. In response to COVID-19 Directed Health Measures declared in March 2020, the Omaha Public Power District developed a Customer First Solutions Package, a variety of programs to assist customers during the COVID-19 pandemic.
2. The Board requested that management provide regular reports on the progress of customer programs and trends.
3. Management will provide an update on aged debt and related trends as of May 31, 2021.

### RECOMMENDED:

DocuSigned by:

Juli A. Comstock  
Vice President – Customer Service

### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

Timothy J. Burke  
President and Chief Executive Officer

JAC:rak



# Customer Trends Update

Public Information Committee

June 15, 2021



Continuing to monitor and adjust OPPD's solutions as our customers' needs are changing.



## Summary of Q2 Customer First Solutions

- Maintain flexible bill payment options to help customers financially
- Automatically waive collection & reconnect fees on first field visit in 2021
- Empower customer service representatives to waive up to 3 late payment charges for a customer in a 12-month period
  - Additional fees may be waived upon approval and customer request (e.g. late payments, return check fees, collection & reconnect fees, etc..)
- Suspend assessing additional deposits due to field collection visits
- SMB customers will continue to receive personalized collection efforts prior to disconnection
- Continue personalized field visits and outreach to ensure impacted customers are aware of their options (via Connecting with Customers effort)



## Energy Assistance

- The Douglas County COVID-19 Utility Assistance Program closed for applications in May 2021 with all \$1M in funding distributed.
- LB306 passed on May 26<sup>th</sup>, 2021 to expand the income eligibility limit for the LIHEAP program.



## Promotional/Marketing Campaign

- Remote Learner transition communications were executed by field reps in the month of May.



## Next Steps

- Operationalize Customer First effective Q2 continuing Q1 solutions.

# Summary of Aged Debt

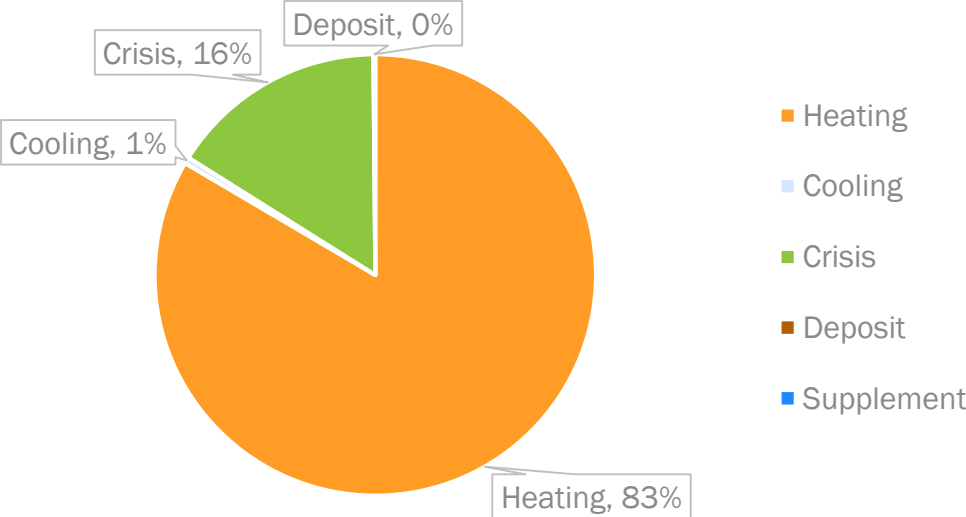
	Residential			Commercial & Industrial		
	May 2021	April 2021	May 2020	May 2021	April 2021	May 2020
% of Accounts Current	90.9%	91.7%	90.1%	93.4%	93.6%	91.2%
% of Accounts in Arrears	9.1%	8.3%	9.9%	6.6%	6.4%	8.8%
Total Aged Debt > 30 days (in millions)	\$4.1	\$4.2	\$7.3	\$1.7	\$1.7	\$2.9
Total Aged Debt 91+ Days (in millions)	\$0.7	\$0.7	\$2.5	\$0.2	\$0.1	\$0.3
Total Service Agreement Count > 30 Days (in thousands)	34.6	31.0	38.1	1.9	1.8	2.5
Total Service Agreement Count > 91+ Days (in thousands)	6.7	5.7	13.0	0.4	0.4	0.8
LIHEAP Only Accounts	May 2021	April 2021	May 2020			
% of Accounts Current	66%	70%	64%			
% of Accounts in Arrears	34%	30%	36%			
Total Aged Debt > 30 days (in millions)	\$0.8	\$0.4	\$1.3			
Total Aged Debt 91+ Days (in millions)	\$0.2	\$0.2	\$0.5			
Total Service Agreement Count > 30 Days (in thousands)	5.0	4.4	4.7			
Total Service Agreement Count > 91+ Days (in thousands)	1.5	1.2	2.1			

# Energy Assistance May 2021 YTD

Funding Source	May 2021 YTD	Average Benefit	Distinct Accounts	# of Payments	2020 Year End Total
Energy Assistance Program	\$98,041	\$305	322	322	\$377,571
COVID Relief Programs	\$1,498,570	\$367	3,577	4,034	\$1,641,914
LIHEAP	\$492,973	\$374	1,287	1,320	\$5,846,198
Other Agencies Assistance	\$757,560	\$300	2,007	2,490	\$1,489,902
<b>Total</b>	<b>\$2,847,144*</b>	<b>\$347</b>	<b>6,699</b>	<b>8,166</b>	<b>\$9,355,585</b>

\*YTD 2020, OPPD had received a total of \$770,652 in Energy Assistance Payments

## LIHEAP Distribution



Douglas County COVID-19 Utility Assistance Program	5/31/2021
Completed Applications*#	3,246
Approved Applications^	2,000
Average benefit	\$500
<b>Total Dollars Granted</b>	<b>\$1,000,000</b>

\*Total applications completed for the program.  
 #Electronic applications processed when program closed on 5/7/2021.  
 ^Customers approved for the Douglas County COVID-19 Utility Assistance Program.



# Reporting Item

## BOARD OF DIRECTORS

June 15, 2021

### ITEM

Legislative and Regulatory Update

### PURPOSE

To provide an update on 2021 state and federal legislative matters and regulatory matters

### FACTS

- a. Nebraska's 107th Legislature began on January 6, 2021 and ended on May 27, 2021.
- b. The 117<sup>th</sup> Congress began on January 3, 2021 and is expected to end January 3, 2023.


### ACTION

Reporting item

#### RECOMMENDED:

DocuSigned by:  
  
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\_\_\_\_\_  
Lisa A. Olson  
Vice President – Public Affairs

#### APPROVED FOR REPORTING TO BOARD:

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\_\_\_\_\_  
Timothy J. Burke  
President and Chief Executive Officer

Attachment: State and Federal Legislative Update

# Legislative Update 6/15/2021

Tim O'Brien, Director – Economic Development & External Relations



# State Legislative Update



# 2021 Nebraska Legislative Calendar

## Nebraska's 107th Legislature

- January 6<sup>th</sup> – Legislature convened at 10 am
- January 20<sup>th</sup> – Last day of bill introduction
- January 25<sup>th</sup> – All day public hearings begin
- March 4<sup>th</sup> - Date to complete committee hearings, except Judiciary Committee on introduced bills
- March 10<sup>th</sup> – Deadline for Speaker priority requests
- March 12<sup>th</sup> – Deadline for designation of Committee and Senator priority bills (extended)
- March 12<sup>th</sup> - Judiciary Committee hearings to be completed
- March 15<sup>th</sup> – Full-day debate
- May 27<sup>th</sup> – Sine die

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 83 Flood	Change the Open Meetings Act to provide for virtual conferencing
Support	<i>1/7/21 Introduced, 1/11/21 Referred to Government, Military and Veterans Affairs Committee, 1/27/21 Hearing held OPPD submitted a letter in support, Placed on General File with AM127, 3/10/21 Government, Military and Veterans Affairs priority bill, 3/17/21 Advanced to Select File, 4/15/21 Passed on Final Reading 43-0-6 with Emergency Clause. 4/21/21 Signed by Governor.</i>
LB 84 Bostelman	Redefine terms relating to tax incentive performance audits and the Imagine Nebraska Act
Support	<i>1/7/21 Introduced, 1/11/21 Referred to Revenue Committee, 2/26/21 Hearing held, OPPD submitted a letter in support, 3/10/21 Placed on General File, 3/17/21 Speaker priority bill, 4/27/21 Advanced to Select File. 5/20/21 Passed on Final Reading 47-0-2. 5/25/21 Signed by Governor.</i>
LB 139 Briese	Adopt the COVID-19 Liability Protection Act
Neutral	<i>1/8/21 Introduced, 1/12/21 Referred to Judiciary Committee, 2/18/21 Hearing held, 3/11/21 Slama priority bill. 5/10/21 Placed on General File with AM1293. 5/18/21 Advanced to Select File, 5/18/21 Advanced to Final Reading, 5/20/21 Passed on Final Reading with e clause 41-1-7. 5/25/21 Signed by Governor. Provisions/portions of LB 53 amended into LB 139 by AM1293.</i>

# 2021 Legislation – Priority Status

Bill & Current Status	Summary
LB 306 Brandt	Provide eligibility requirements for the low-income home energy assistance program
Support	<i>1/12/21 Introduced, 1/14/21 Referred to Health and Human Service Committee, 1/29/21 Hearing held, OPPD testified in support, 3/9/21 Placed on General file, 3/12/21 Brandt priority bill, 4/29/21 Advanced to Select File, 5/18/21 Advanced to Final Reading, 5/20/21 Passed on Final Reading with E clause 38-6-5. 5/25/21 Returned by Governor, 5/26/21 Passed notwithstanding objections by Governor 32-15-2.</i>
LB 449 Wishart	Appropriate funds to the Department of Environment and Energy
Support	<i>1/15/21 Introduced, 1/20/21 Referred to Appropriations Committee, 2/26/21 Hearing held, 4/9/21 Amended into LB380 budget bill, 4/1/21 LB 380 Placed on General File with AM393, 4/12/21 Advanced to Select File with ER56, 4/14/21 Advanced to Final Reading, 4/20/21 Passed on Final Reading with Emergency Clause, 4/26/21 Signed by Governor</i>
LB 474 Wishart	Adopt the Medicinal Cannabis Act
Neutral	<i>1/15/21 Introduced, 1/20/21 Referred to Judiciary Committee, 3/10/21 Hearing scheduled, 3/12/21 Wishart priority bill, 3/31/21 Placed on General File with AM824, 5/12/21 Failed to advance.</i>

# Other Bills of Interest

- LB 156 - Adopt the Municipal Inland Port Authority Act
  - 5/24/21 Signed by Governor
- LB 285 – Change provisions relating to elections conducted pursuant to the Election Act
  - 5/26/21 Signed by Governor
- LB 366 – Change the Nebraska Advantage Microenterprise Tax Credit Act
  - 5/25/21 Signed by Governor
- LB 388 - Adopt the Nebraska Broadband Bridge Act
  - 5/26/21 Signed by Governor
- LB 406 – Create the Lower Platte River Infrastructure Task Force and provide funding
  - 5/25/21 Signed by Governor

# Other Bills of Interest

- LB 460 – Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission
  - Held in Committee
- LB 512 – Adopt the Critical Infrastructure Utility Worker Protection Act
  - Held in Committee
- LB 650 - Adopt the Nebraska Geologic Storage of Carbon Dioxide Act
  - 5/24/21 Signed by Governor

# 2021 Legislative Resolutions - Interim Studies

LR & Current Status	Summary
LR 23 Erdman	Interim study to examine the progress of natural resources districts in fulfilling their originally intended purpose. Includes a study of flood control
	<i>5/20/21 Referred to Natural Resources Committee</i>
LR 34 Slama	Interim study to examine the structure and funding of the Nebraska Environmental Trust. OPPD has received \$600,000 for battery storage, butterfly and EV charging station grants over the years
	<i>5/20/21 Referred to Natural Resources Committee</i>
LR 83 M. Hansen	Interim study to examine the gubernatorial appointment process of members to boards, commissions and similar entities
	<i>5/20/21 Referred to Executive Board</i>
LR 102 Wishart	Provide the Legislature take steps to combat the climate and ecological crisis
	<i>4/22/21 Referred to Natural Resources Committee</i>
LR 106 Kolterman	Interim Study to monitor underfunded defined benefit plans administered by political subdivisions as required by 13-2402.
	<i>5/20/21 Referred to Nebraska Retirement Systems Committee</i>

# 2021 Legislative Resolutions - Interim Studies

LR & Current Status	Summary
LR 136 Brewer	Interim Study to examine and evaluate the causes, costs, and impacts of rolling electrical power outages during the extreme weather events of February 2021
	<i>5/20/21 Referred to Natural Resources Committee</i>
LR 147 J. Cavanaugh	Interim study to examine the transfer of state-owned property to local political subdivisions
	<i>5/20/21 Referred to Transportation and Telecommunications Committee</i>
LR 193 De Boer	Interim study to examine broadband mapping and broadband speed testing in Nebraska
	<i>5/20/21 Referred to Transportation and Telecommunications Committee</i>
LR 199 Slama	Interim study to examine the creation of rural economic development program
	<i>5/20/21 Referred to Banking, Commerce and Insurance Committee</i>
LR 202 HHS Committee	Interim study to examine federal legislation regarding COVID-19 pandemic assistance
	<i>5/20/21 Referred to HHS Committee</i>



# 2021 Legislative Resolutions - Interim Studies

LR & Current Status	Summary
LR 211 Lowe	Interim study to examine issues related to adopting construction codes
	<i>5/20/21 Referred to Urban Affairs Committee</i>
LR 234 Friesen	Interim study to examine issues related to the regulation and taxation of electric vehicles
	<i>5/20/21 Referred to Transportation and Telecommunication Committee</i>
LR 246 NR Committee	Interim study to examine issues within the jurisdiction of the Natural Resources Committee
	<i>5/26/21 Referred to Natural Resources Committee</i>

# Federal Legislative Update



# Federal Update

- Infrastructure package continues to be the major focus
  - President Biden's \$2.3 trillion, 8 year infrastructure package reduced to \$1.7 trillion. GOP's most recent \$928 billion counterproposal
  - House Energy & Commerce Committee's Leading Infrastructure for Tomorrow's America Act (H.R. 1848 LIFT America Act) introduced March 11<sup>th</sup>
- Other major bills of interest:
  - H.R. 848, the GREEN Act (renewable energy tax incentives)
  - H.R. 1512, the CLEAN Future Act (Clean Energy Standard) – the basis for the House Climate Package
- 5,607 bills introduced in the 117<sup>th</sup> Congress as of June 3rd
- Reconciliation being discussed as an option to pass major legislation
- 22 of 23 Cabinet nominees confirmed. Hearings begin for Undersecretaries and other appointed positions



# DRAFT Agenda

**OPPDP BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
Thursday, June 17, 2021 at 5:00 P.M.**

*Attend in person at Omaha Douglas Civic Center, 1819 Farnam Street,  
2<sup>nd</sup> Floor – Legislative Chamber, Omaha, NE 68183*

*Public may attend remotely by going to [www.oppd.com/BoardAgenda](http://www.oppd.com/BoardAgenda) to access the Webex meeting link and view instructions.*

### **Preliminary Items**

1. Chair Opening Statement
2. Safety Briefing
3. Guidelines for Participation
4. Roll Call
5. Announcement regarding public notice of meeting

### **Board Consent Action Items**

6. Approval of the May 2021 Comprehensive Financial and Operating Reports, May 2021 Meeting Minutes and the June 17, 2021 Agenda
7. SD-15: Enterprise Risk Management Monitoring Report – Resolution No. 64xx
8. Annual Health Plan Report – Resolution No. 64xx
9. SD-2: Rates Monitoring Report – Resolution No. 64xx
10. Authorization for Additional Debt Financing – Resolution No. 64xx
11. Rate Design Changes to Rate 110M, 469W and 483 – Resolution No. 64xx
12. Underground Streetlight Cable Repair Contract – Resolution No. 64xx
13. Substation Control Building Enclosure – Resolution No. 64xx
14. Foundations, Ductlines, and Miscellaneous Work for 161kV Substation – Resolution No. 64xx

### **Board Discussion Action Items**

15. Corporate Officer Performance Reviews & Compensation Adjustments – J. A. Comstock, Vice President – Customer Service and L. A. Olson, Vice President – Public Affairs – Resolution No. 64xx
16. [to be determined]

### **Other Items**

17. Customer Engagement for the Future Strategic Initiative Update (60 mins) – J. A. Comstock, Vice President – Customer Service
18. President's Report (15 mins)
19. Opportunity for comment on other items of District business
20. Adjournment

Please use the link below to find all committee and board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at [www.oppd.com/BoardMeetings](http://www.oppd.com/BoardMeetings).



# Board Work Plan



# Board Work Plan Process

1. Board member requests Senior Corporate Governance Specialist to add topic to Parking Lot
2. At the next regular monthly All Committee meeting, the Board as a whole discusses with SMT Parking Lot items to move to Board Work Plan. The following steps occur once an item is moved to the Work Plan:
  - a. Evaluate and determine resource requirements and availability of resources to complete research, etc. [Board Chair/Committee Chair/CEO]
  - b. Confirm proposed steps and timing of when work will be reasonably completed [Board Chair/Committee Chair/CEO]
  - c. Insert “Target Completion Date” on Board Work Plan [Senior Corporate Governance Specialist]
  - d. Provide regular updates to Board and public on items [Committee Chair]
  - e. If assignment of a particular topic to a standing committee is unclear, determine if an ad hoc committee should be created [Board Chair]
3. When appropriate, topic moves from Board Work Plan to SMT agenda for Board meeting Report (Discussion or Presentation), or Action

*Note the process outlined in Step 2 is iterative and could repeat for many months before going to Step 3 for Board presentation and/or action.*

2021 Agenda Planning Calendar

**BOARD IDENTIFIED WORK PLAN PRIORITIES**  
(as of 6/11/21)

TOPIC	ACKNOWLEDGED	CMTE	SMT	STATUS	STATUS DESCRIPTION	TARGET COMPLETION DATE
SD-11: Economic Development Policy Revision <i>(Next monitoring report 11/16/21)</i>	1/19/2021	PI	Olson	Work In Progress	Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021; 5/11/21 PI Cmte members will review SD-11 documents and target June/July for pre-cmte discussion; <b>6/8/21 PI Cmte consensus to put SD-11 on agenda for discussion at Board Governance Workshop, tentatively scheduled for September</b>	
SD-13: Stakeholder Outreach & Engagement <i>(Next monitoring report 12/14/21)</i>	1/19/2021	PI	Olson	Work In Progress	Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021; 5/11/21 PI Cmte members will review SD-13 documents and target June/July for pre-cmte discussion; <b>6/8/21 PI Cmte consensus to put SD-13 on agenda for discussion at Board Governance Workshop, tentatively scheduled for September</b>	
SD-9: Resource Planning Policy Revision <i>(Next monitoring report 8/17/21)</i>	8/26/2020	SM	Fisher / Fernandez	Work In Progress	System Committee (Mollhoff, Williams, Moody & Yoder) discussion 12/3/20; Met 1/7/21; Met 1/25/21; per 3/31/21 meeting, Williams spoke with Bogner and Burke re scope, prioritization and timing; SMT meeting scheduled 5/12.	
SD-2: Rates Policy Revision <i>(Next monitoring report 6/15/21)</i>	8/26/2020	FIN	Fernandez	Work In Progress	Finance Cmte discussed 4/2/21; Management will provide a proposal to replace the 5-year no-general rate increase language in the current SD-2. The Committee Chair offered to provide proposed language to address the concept of affordability in SD-2 for tentative discussion in June or July.	
SD-4: Reliability Policy Revision <i>(Next monitoring report 4/13/21)</i>	8/26/2020	SM	Via	Not Started	System Committee to propose revisions related to resiliency. Awaiting external guidance from SPP et al.	

**BOARD IDENTIFIED WORK PLAN PRIORITIES -  
COMPLETED**

TOPIC	ACKNOWLEDGED	CMTE	SMT	STATUS	STATUS DESCRIPTION	TARGET COMPLETION DATE
SD-7: Environmental Stewardship (Next monitoring report 9/14/21)	1/19/2021	SM	Fisher	Completed	Revise policy to include statement on climate change; System Cmte discussed proposed language 3/10/21; System Cmte reviewed and finalized changes 3/31/21 and recommended to Board during 4/13/21 meeting; Public comment period through Friday, May 14; Discussed during 5/18/21 All Cmtes meeting; Board approved 5/20/21	5/20/2021
BL-5: Unity of Control Policy Revision	8/26/2020	GOV	Focht	Complete	Proposed revisions reviewed by Gov Cmte 9/10/20; Gov Cmte determined more review required; Board approved 12/9/20	12/9/2020
BL-7: Delegation to the President & CEO	8/26/2020	GOV	Focht	Complete	Revise policy with regard to communication from CEO; Board approved 9/17/2020	9/17/2020
GP-4: Agenda Planning	8/26/2020	GOV	Focht	Complete	Revise policy to include development of a Board Work Plan; Board approved 9/17/2020	9/17/2020
BL-9: Delegation to President & CEO - Local, State and Federal Legislation and Regulation -- Legislative Resolution	2019	PI	Olson	Complete	Discussed in PI Cmte and with full Board in August and September 2020; referred back to PI Cmte for further review; 10/13/20 All Committee meeting determined to include topics of interest in OPPD's annual legislative agenda and the PI Cmte and Board would receive timely updates on emerging issues and positions.	10/13/2020



2021 Agenda Planning Calendar

**PARKING LOT - For Board Discussion**

TOPIC	SUGGESTED BY	ACKNOWLEDGED	STATUS
SD-1: Strategic Foundation Monitoring Report Discussion and Refinement	Yoder	2/12/2021	4/13/21 All Cmtes discussion: Yoder, Burke and Focht discussed SD-1 monitoring report 4/14/21; <b>Per 5/13/21 Governance pre-cmte, SMT will share revised format of monitoring report with the Cmte at 6/10/21 pre-cmte meeting</b>
Governance discussion re: handling of concepts that span multiple SDs	Yoder	2/12/2021	4/13/21 All Cmtes discussion: Yoder to define potential scope for discussion with Governance Committee; <b>Per 5/13/21 Governance pre-cmte, to be considered as a topic for the 2021 Governance Workshop</b>
Ad Hoc Committee on Market Transformation	Gov Workshop discussion	8/26/2020	4/13/21 All Cmtes discussion: Paused; SD-9 potential revisions may address part of this topic