



# Agenda

**OPPDD Board of Directors – All Committees Meeting  
Tuesday, March 14, 2023**

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

*Conducted in person at Energy Plaza, 9W Seminar Room and virtually via Webex audio/video conference. Public may attend remotely by going to [www.oppd.com/CommitteeAgenda](http://www.oppd.com/CommitteeAgenda) to access the Webex meeting link or the public may watch the Webex at Energy Plaza, 444 S. 16<sup>th</sup> Street – Conf. Room A, Omaha, NE, which will be set up as a physical location to view the Webex.*

	<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>	
1.	<b>Chair Opening Statement</b>		Williams	<b>8:00</b>	<b>A.M.</b>
2.	<b>Closed Session</b>			<b>8:05</b>	<b>A.M.</b>
	Enterprise Risk Management Quarterly Update	Reporting	Focht	30	min
	Near Term Generation Update	Reporting	Underwood	70	min
	<b><i>Break – Open WebEx to Allow Public to Join</i></b>			<b>9:45</b>	<b>A.M.</b>
3.	<b>Public Session – Chair Opening Statement</b>		Williams	<b>10:00</b>	<b>A.M.</b>
4.	<b>Safety Briefing</b>		Fernandez	<b>10:05</b>	<b>A.M.</b>
5.	<b>Governance Committee</b>			<b>10:10</b>	<b>A.M.</b>
	Governance Chair Report (03/09/23)	Reporting	Bogner	5	min
	Severance Agreement In Excess of \$50k	Reporting	Swanson	5	min
	VP Sustainability & Environmental Affairs Appointment	Action	Fernandez	10	min
6.	<b>Finance Committee</b>			<b>10:30</b>	<b>A.M.</b>
	Finance Chair Report (03/03/2023)	Reporting	Spurgeon	5	min
	Rate Design Project Update	Reporting	Bishop	5	min
	2022 Annual Financial Report	Reporting	Bishop	20	min
	Retirement Plan Annual Report	Reporting	Boucek	25	min
	401(k) and 457 Retirement Savings Plan Annual Report	Reporting	Bishop	5	min
	Other Post-Employment Benefits (OPEB) Trusts Annual Report	Reporting	Bishop	5	min
	SD-14: Retirement Plan Funding Monitoring Report	Action	Bishop	15	min
	<b><i>Break for Lunch</i></b>			<b>11:50</b>	<b>A.M.</b>
7.	<b>System Management &amp; Nuclear Oversight Cmte</b>			<b>12:30</b>	<b>P.M.</b>
	SM&NO Chair Report (03/01/2023)	Reporting	Moody	5	min
	NC2 Economizer Outlet Expansion Joint Replacement -- Labor Contract Award	Action	Via	5	min
	Substation Control Building & Switchgear Enclosure	Action	Via	10	min
	NW Omaha ED Steel Transmission and Substation Structures	Action	Via	5	min
	Sarpy County Station (SC3) Generator Circuit Breaker & Disconnect Switch Replacement – Engineer’s Certification	Action	Via	10	min
	Near Term Generation Update	Reporting	Underwood	45	min
8.	<b>Public Information Committee</b>			<b>1:50</b>	<b>P.M.</b>

	<b>TOPIC</b>	<b>TYPE</b>	<b>PRESENTER</b>	<b>TIME*</b>	
	Public Information Chair Report (03/07/2023)	Reporting	Howard	5	min
	Legislative and Regulatory Update	Reporting	Olson	20	min
	North Omaha Engagement Update	Reporting	Olson	15	min
<b>9.</b>	<b>Other Business</b>			<b>2:30</b>	<b>P.M.</b>
	Confirmation of Board Meeting Agenda	Action	Williams	5	min
	Review of Board Work Plan	Discussion	Williams	5	min
	Power with Purpose: Solar, Natural Gas and Transmission Update	Reporting	Via / Underwood	10	min
<b>10.</b>	<b>Closed Session</b> (if necessary)				

\* 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).

# SAFETY KICKOFF



## Physical Safety

OPPDP is committed to maintaining a safe work environment

Central Station: EXT. 3700

Safety: EXT. 7233 (SAFE)

**AED  
First Aid  
Exits**



Feeling ill?



Identify help

**Physical  
Safety**



Environmental hazards?



Active Shooter

## Psychological Safety

Safety at OPPDP includes psychological safety

Please discuss with direct manager

HC Business Partner: 531-226-3079

Ethics Point: 1-866-ETHICSP (1-866-384-4277)



# Safety Focus for March

## 1. Fatigue Awareness.

*Worker fatigue greatly increases the risk for illness and injury. Understand your individual risk factors and commit to ensuring you get enough rest.*

## 2. Roadway Safety.

*Safe driving requires 100% of our focus. Unfortunately, many driving around us are more distracted than ever. Remember a few tried and true tips to help you get you wherever you are going, safely.*

## 3. Preventing Hand/Finger/Thumb Injuries.

*Prior to 2022, we averaged approximately 3.5 recordable hand/finger/thumb injuries, per year; we recorded nine (9) in 2022. Utilizing a few good habits will help avoid harm to your hands.*



## Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
March 9, 2023 8:00 – 9:00 A.M.

1. Safety Briefing (Purnell – 2 min)
2. Annual Committee Charter Review (Focht – 10 min)
  - a. Objective: Complete Committee Charter review and identify any appropriate changes for Board consideration.
3. 2023 Committee Work Plan Review (Focht – 5 min)
  - a. Objective: Create understanding of items and ensure alignment with committee charter.
4. OPPD Bylaw Review (Focht – 15 min)
  - a. Objective: Complete review and recommend any proposed changes for appropriate action by the Board.
5. 2023 Board Workshop (Focht – 10 min)
  - a. Objective: Understand goals, approach and next steps.
6. Report on Severance Agreement (Purnell – 5 min)
  - a. Objective: Inform of severance agreement in excess of \$50k
7. Appointment: VP, Sustainability & Environmental Affairs (Purnell – 5 min)
  - a. Objective: Inform of appointment to be presented to Board
8. Board Work Plan (Focht – 2 min)
  - a. Objective: Committee members to review and confirm items on the Board Work Plan.
9. Summary of Committee Direction (2 min)
  - a. Objective: Executive Leadership Team liaison(s) to summarize direction provided by the committee.



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Severance Agreement

### PURPOSE

Report on Severance Agreement

### FACTS

- a. OPPD offers a Redeployment of Talent Program for exempt employees who do not meet the Accountable Management System (AMS) suitability for role criteria. Employees who choose not to stay with the District are offered severance in exchange for a release of claims.
- b. One (1) exempt employee has separated from OPPD as a result of the AMS process and executed a separation agreement.
- c. The severance agreement involves a payment that exceeds \$50,000 and therefore may be subject to the requirement for reporting settlement agreements under Section 84-713 of the Nebraska Revised Statutes. This agreement is listed on the attachment.
- d. The severance agreement is available for inspection in the office of the corporate secretary.

RECOMMENDED:

APPROVED FOR REPORTING TO BOARD:

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McKell V. Purnell  
Vice President Human Capital

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L. Javier Fernandez  
President and Chief Executive Officer

Attachment: List of Severance Agreement Exceeding \$50,000

**Attachment**

**List of Severance Agreement Exceeding \$50,000**

<b>Employee Position as of February 1, 2023</b>	<b>Total Severance</b>
Sr. Director	\$63,666.73



# Board Action

## BOARD OF DIRECTORS

March 16, 2023

### ITEM

Appointment of Corporate Officer

### PURPOSE

Appointment of Cliff Fleener as Vice President Sustainability and Environmental Affairs

### FACTS

- a. Mr. Fleener brings more than 20 years of sustainability and environmental experience to OPPD. His most recent position has been Corporate Director of Environmental Responsibility for Valmont Industries, Inc.
- b. Mr. Fleener holds a Bachelor of Science degree in Biology from Ball State University and a Master of Science degree in Environmental Science from the University of Wisconsin – Green Bay.

### ACTION

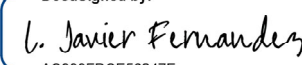
Board approval of the appointment of Cliff Fleener to the position of Vice President Sustainability and Environmental Affairs and compensation.

### RECOMMENDED

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McKell V. Purnell  
Vice President Human Capital

### APPROVED FOR BOARD CONSIDERATION:

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L. Javier Fernandez  
President and Chief Executive Officer

Attachments: Exhibit A  
Resolution





Bogner/Fernandez

DRAFT

**RESOLUTION NO. 6553**

**WHEREAS**, the President & CEO of the District has established the position of Vice President-Sustainability and Environmental Affairs, and this Vice President is accountable to develop, implement, and oversee environmental strategies that support the District's net zero carbon goals while balancing the needs for affordability, reliability and resiliency; and

**WHEREAS**, the Vice President-Sustainability and Environmental Affairs is accountable to promote and implement environmental sustainability efforts and assure regulatory compliance; and

**WHEREAS**, the Vice President-Sustainability and Environmental Affairs is accountable for the delivery of environmental impact monitoring and measurement in accordance with SD-7: Environmental Stewardship.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that the appointment of Cliff Fleener as Vice President-Sustainability and Environmental Affairs, and the compensation as set forth on the attached exhibit, be and hereby are approved, effective April 17, 2023.



## Pre-Committee Agenda

FINANCE PRE-COMMITTEE MEETING  
VIDEOCONFERENCE  
March 3, 2023 8:00 – 9:30 AM

- 1) Safety Briefing (Bishop – 3 min)
  - a) Promote awareness of current safety focus.
- 2) Rate Design Project Update (Bishop – 20 min)
  - a) Objective: Review the concepts to be included in the Final Phase #1 report and answer Committee questions
- 3) 2022 Annual Financial Report (Bishop – 10 min)
  - a) Objective: Review annual financial report and answer Committee questions.
- 4) Retirement Plan Annual Report (Bishop – 15 min)
  - a) Objective: Review annual retirement plan report and answer Committee questions.
- 5) 401(k) and 457 Retirement Savings Plan Annual Report (Bishop – 5 min)
  - a) Objective: Review annual 401(k) and 457 retirement plan report and answer Committee questions.
- 6) Other Post-Employment Benefits (OPEB) Trusts Annual Report (Bishop – 5 min)
  - a) Objective: Review annual OPEB report and answer Committee questions.
- 7) SD-14: Retirement Plan Funding Monitoring Report (Bishop – 15 min)
  - a) Objective: Review and discuss draft SD-14 monitoring report that will be submitted for Board approval on March 16, 2023
- 8) Confirmation of Board Work Plan – Finance Committee Items (3 min)
  - a) Objective: Committee members to review and confirm items on the Board Work Plan.
- 9) Summary of Committee Direction (2 min)
  - a) Objective: Executive leadership team liaison(s) to gain alignment and summarize direction provided by the Committee.

\*\* Reminder – Audit Subcommittee Meeting March 16, 2023 1:00-2:30 PM



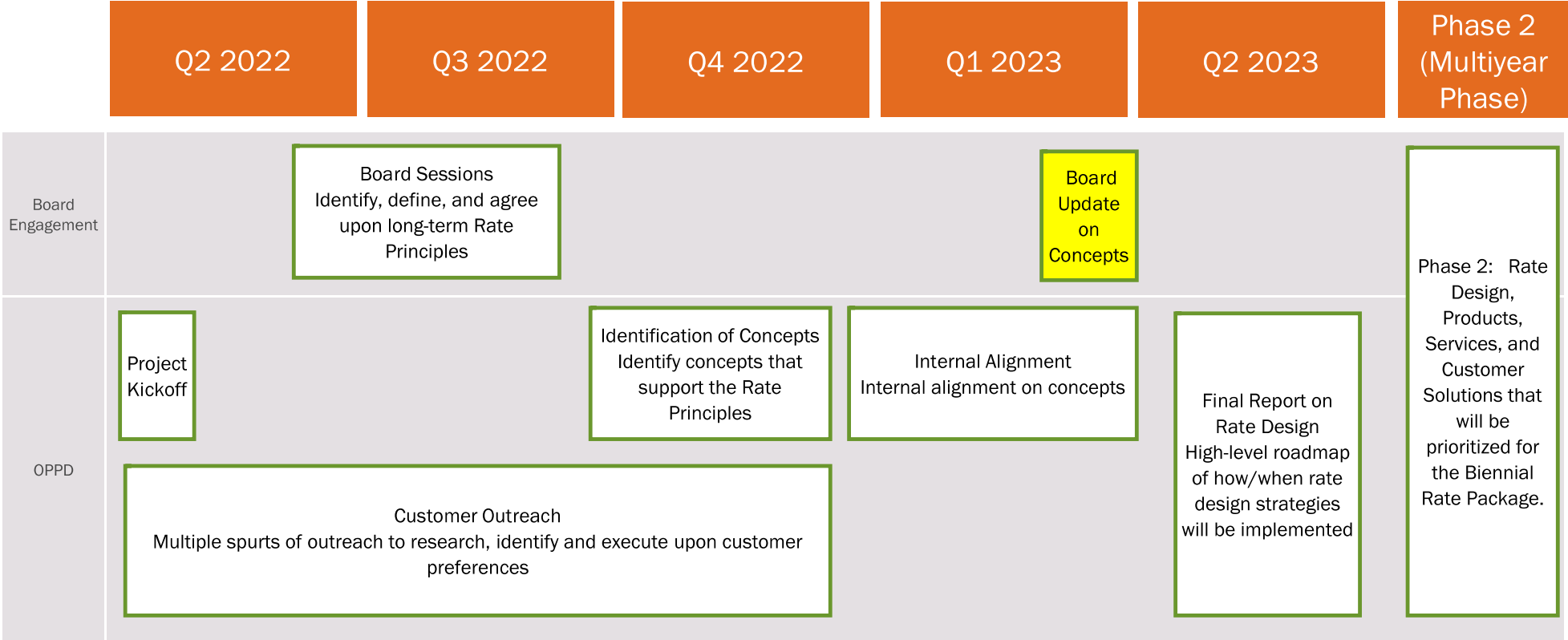
# Rate Design Project Update

March, 2023



# Rate Design Project: Timeline

## Phase 1



# Recent work

- After board meetings, the project's core team:
  - Continued to meet to identify customer pain point and opportunities
  - Ideated concepts based on customer inputs and board workshop results
- While working through each concept, the team considered:
  - Objectives, requirements, constraints, time, effort, and other considerations
- The result of these working sessions is documented in the “Rate Design Project: Concepts” deck.
  - This information is pre-decisional and was shared with the Finance Committee and available to the Board of Directors for review

# Next Steps

- The “Rate Design Project: Concepts” deck is available on diligent for Board review
- Please direct comments and questions to [Jeff Bishop](#), by the end of March.
- A final report with the high-level roadmap will be created and shared in Q2, which will mark the end of Phase 1.

Questions?



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Annual 2022 Financial Report

### PURPOSE

Report the annual financial results to the Board of Directors

### FACTS

- a. The annual 2022 financial results are attached for review.
- b. Retail Revenue for 2022 was \$1,100.5 million, which was \$22.1 million over budget. Off-system Revenue for 2022 was \$256.5 million, which was \$124.1 million over budget. Other Income for 2022 was \$48.8 million, which was \$32.5 million under budget.
- c. Operations and Maintenance Expense (less Fuel and Purchased Power) for 2022 was \$415.7 million, which was \$11.0 million under budget. Fuel and Purchased Power Expense for 2022 was \$546.8 million, which was \$170.1 million over budget. Other Expense for 2022 was \$432.1 million, which was \$6.2 million over budget.
- d. Operating Income for 2022 was \$91.0 million, which was \$17.9 million under budget.
- e. Net Income for 2022 was \$11.2 million, which was \$51.5 million under budget.

### ACTION

Reporting item.

### RECOMMENDED:

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Jeffrey M. Bishop  
Vice President & Chief Financial Officer

### APPROVED FOR REPORTING TO BOARD:

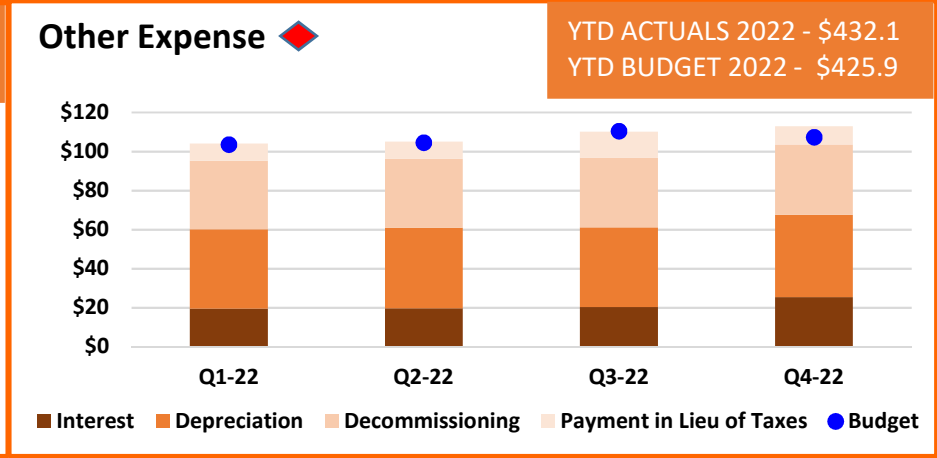
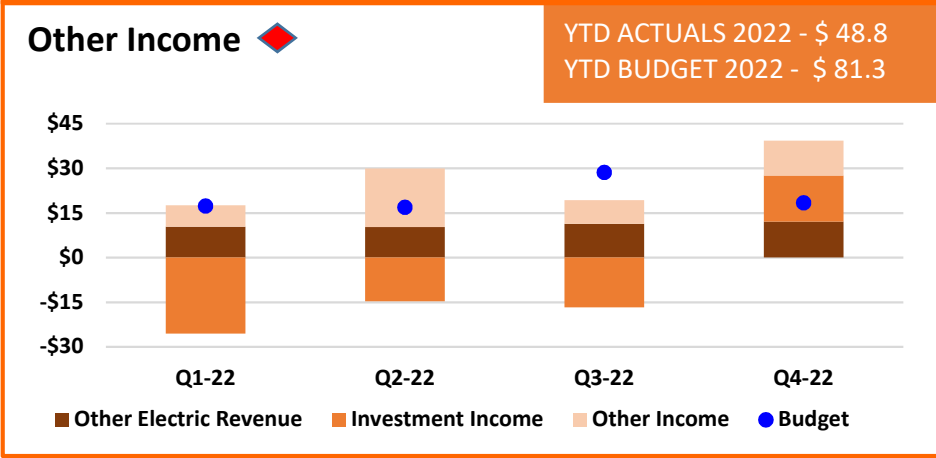
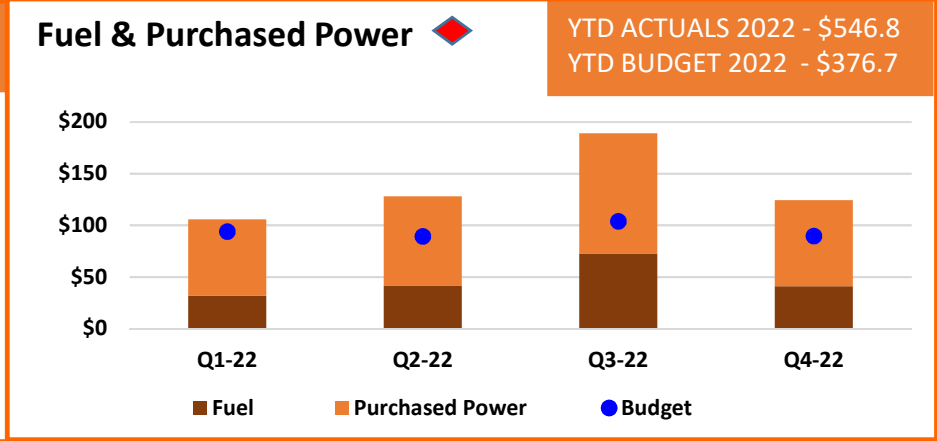
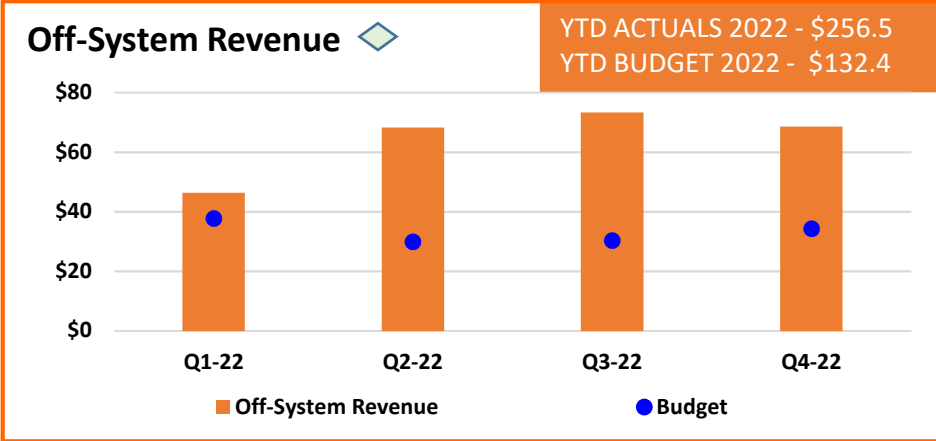
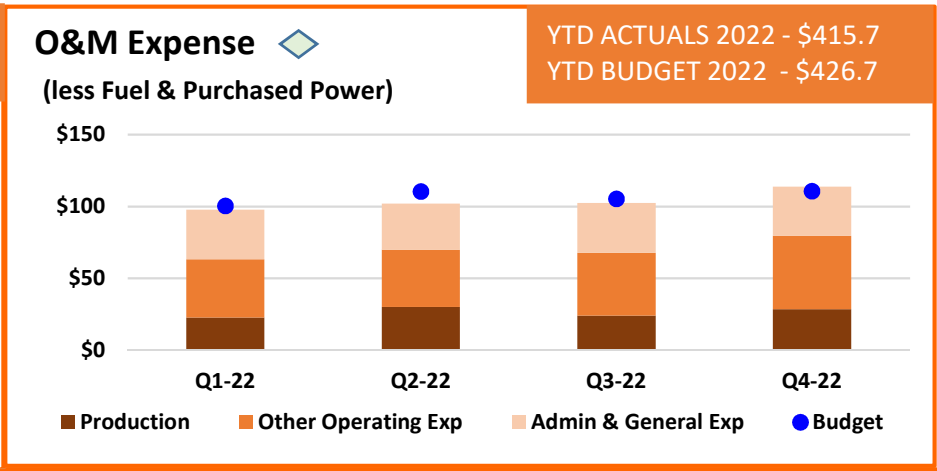
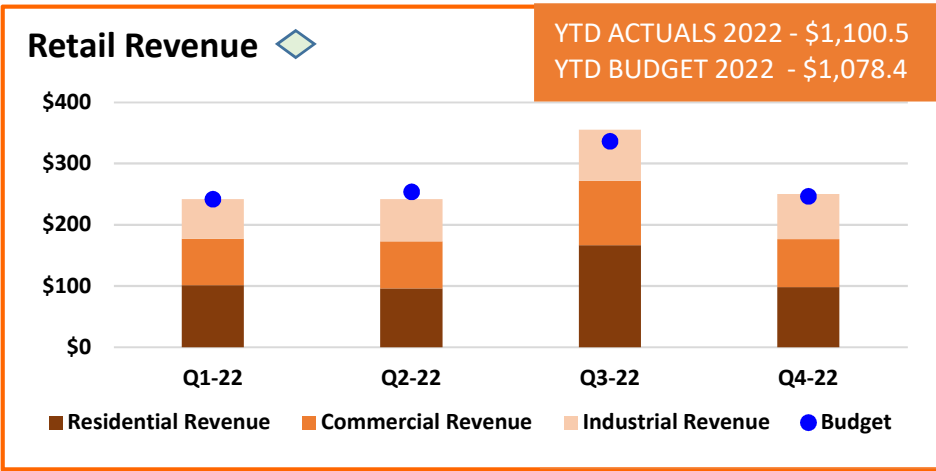
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L. Javier Fernandez  
President & Chief Executive Officer

Attachments: Annual Financial Report (Graphs)



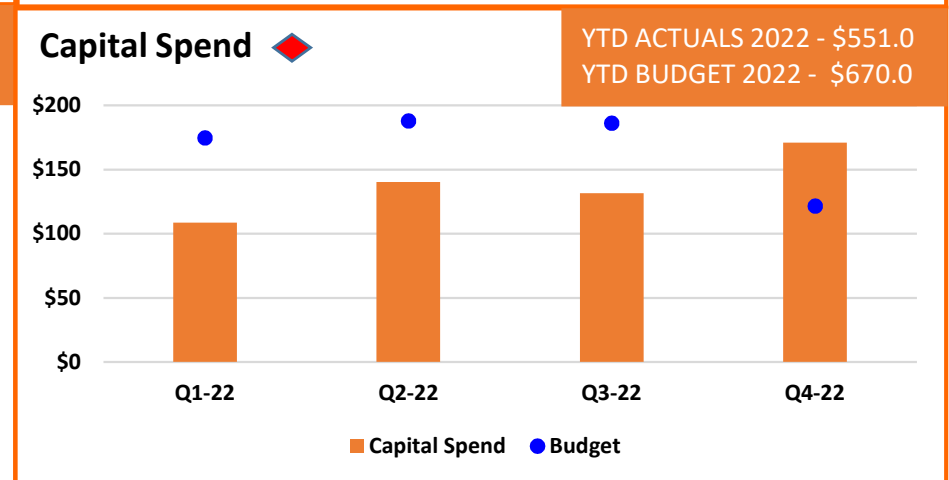
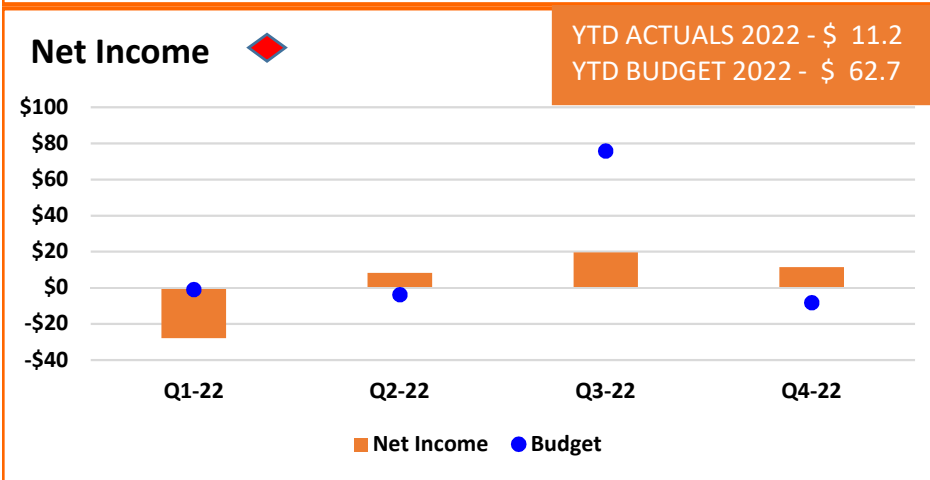
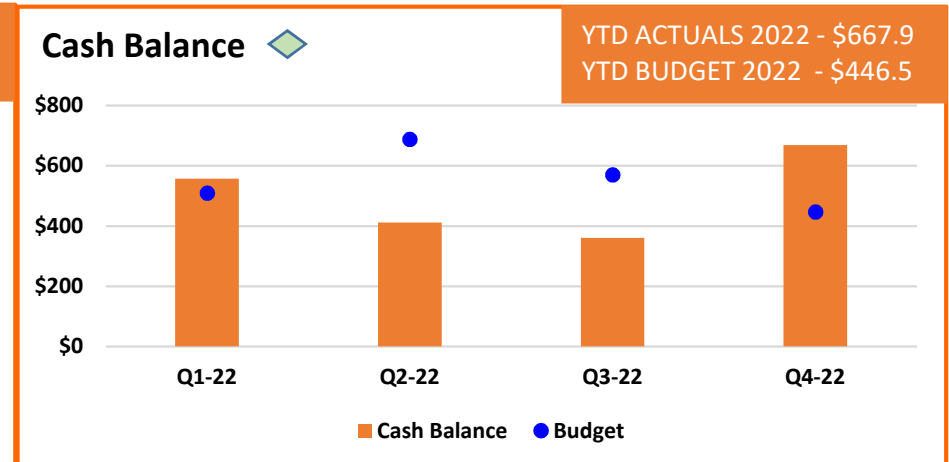
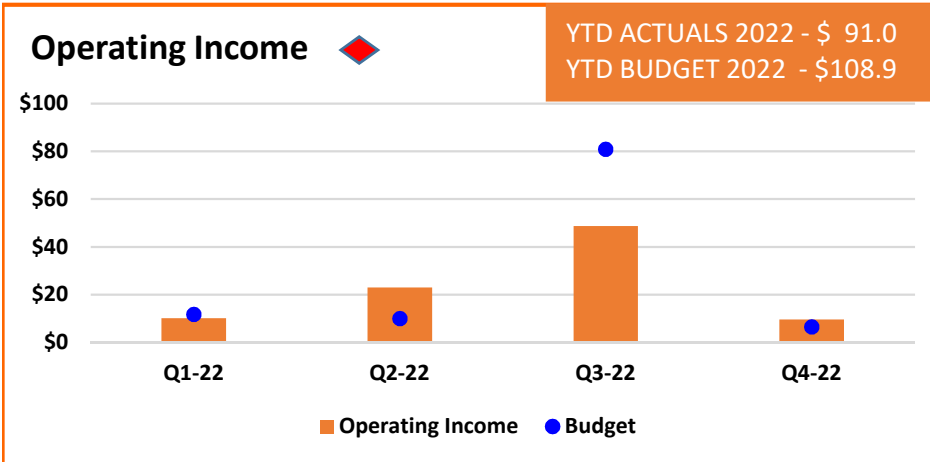
# 2022 Annual Results (\$ Millions)



◇ - Favorable      ◇ - Unfavorable

Unaudited results.

# 2022 Annual Results (\$ Millions)



## SD Impact:

\* **SD-2 Rates** - After completing its five-year commitment to no general rate increases from 2017 through 2021, OPPD implemented a 2.5% average general rate increase for retail customers in 2022. Still, OPPD's average retail rate was 13.5% below the West North Central regional average for 2022, based on preliminary data from the Energy Information Administration, which will be finalized in October 2023.

\* **SD-3 Access to Credit Markets** - The 12-month rolling debt service coverage ratio is 2.0 times through December 2022. The District's days of cash on hand is 241 days as of December 31, 2022.

## HIGHLIGHTS:

- \* Retail revenues were over budget by 2.0% or \$22.1 million, primarily due to increased sales to residential customers. Off-system revenues were over budget by 93.7%, or \$124.1 million, primarily due to higher market prices and higher congestion hedging revenues.
- \* Fuel and purchased power expenses were over budget by 45.2%, or \$170.1 million, primarily due to higher market prices. Other O&M expenses were under budget by 2.6%, or \$11.0 million, due to lower maintenance costs as a result of fewer maintenance outages, lower payroll and benefit costs, as well as lower fees paid to the Southwest Power Pool, partially offset by increased strategic initiative consulting services and cable locating charges.
- \* Other Income was under budget by 40.0%, or \$32.5 million primarily due to unfavorable fair market value adjustments. OPPD typically holds investments to maturity and therefore, will rarely realize fair market gains or losses.
- \* Net income of \$11.2 million was under budget by \$51.5 million, primarily due to the operating results addressed above. OPPD added \$6.0 million to the Decommissioning and Benefits Reserve Account, bringing the balance to \$38.0 million.
- \* Cash balances were over budget due to delays in capital spending.
- \* Capital expenditures were under budget by 17.8%, or \$119.0 million, due to delayed spending primarily on Power with Purpose projects.

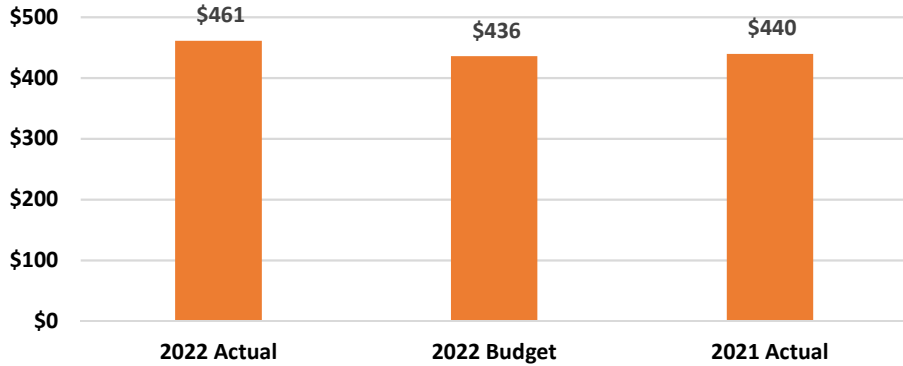
◇ - Favorable      ◆ - Unfavorable

Unaudited results.

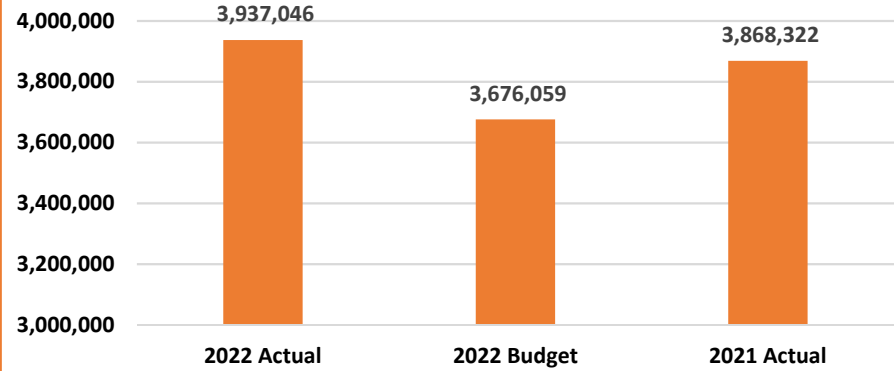
# 2022 Annual Results



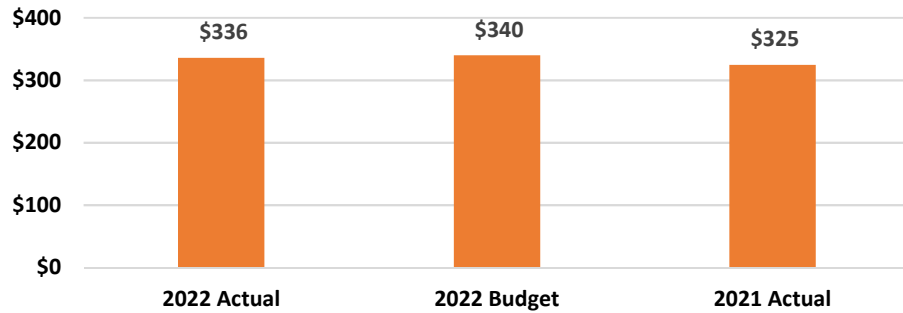
## Residential Revenue (\$Millions)



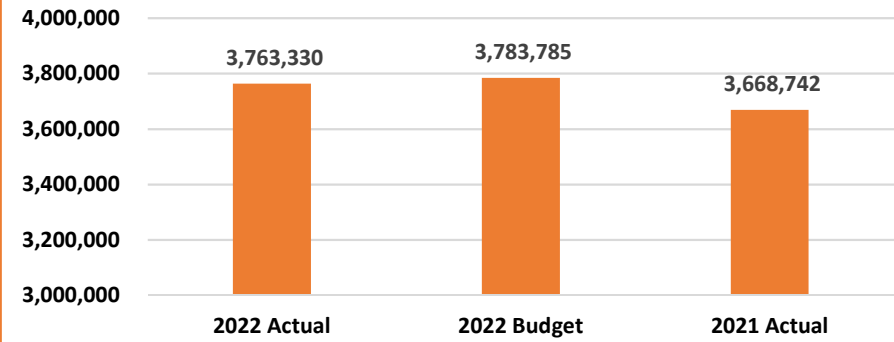
## Residential MWH



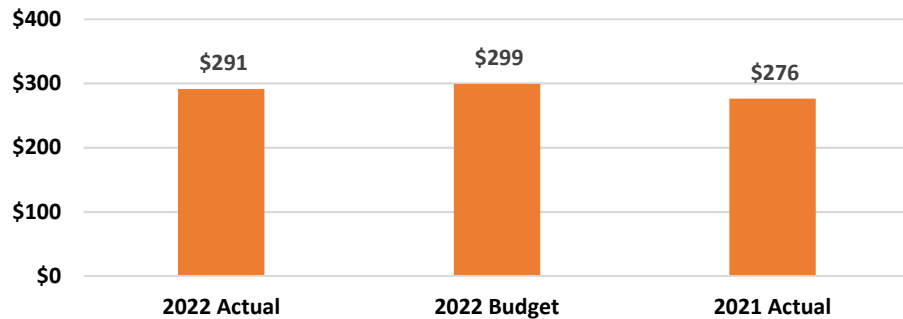
## Commercial Revenue (\$Millions)



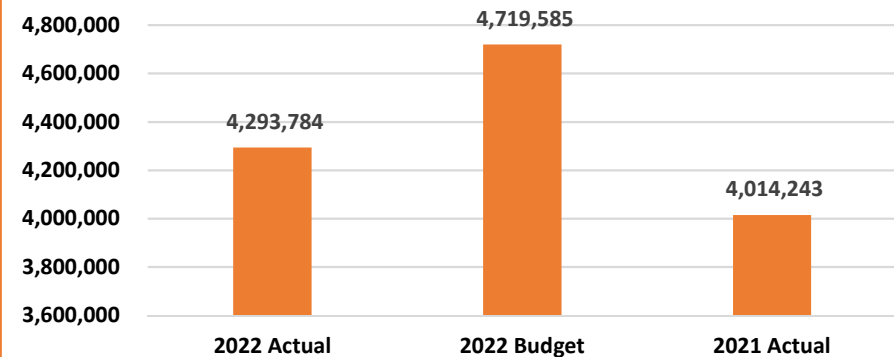
## Commercial MWH



## Industrial Revenue (\$Millions)



## Industrial MWH



Unaudited results.



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Retirement Plan – 2022 Annual Report

### PURPOSE

Report the Retirement Plan Fund and Individual Manager Performance for 2022

### FACTS

- a. The market value of the Retirement Plan Fund was \$1.06 billion on December 31, 2022. This compares to the market value of \$1.29 billion on December 31, 2021. During the year, benefit payments and expenses exceeded the total contribution by \$40.6 million and the investment loss net of fees were \$185.15 million.
- b. The asset allocation at year-end was 53.3% equity, 33.3% fixed income securities and 13.4% alternative assets (private real estate and private debt), which is within the Investment Policy Guidelines approved by the Board.
- c. A summary of the 2022 Retirement Plan Investment Manager's performance will be presented by the District's consultant, Mr. Jeff Boucek, Vice President and Director of Public Fund Consulting, of Segal Marco.

RECOMMENDED:

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*Jeff Bishop*

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\_\_\_\_\_  
Jeff M. Bishop  
Vice President and Chief Financial Officer

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*L. Javier Fernandez*

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L. Javier Fernandez  
President and Chief Executive Officer

JMB:jap

Attachment: Summary of Investment Manager Performance



2022 Annual Performance Review

# Omaha Public Power District

## Retirement Plan

March 14, 2023

Jeffrey C. Boucek, CFA  
Senior Vice President

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**Segal Marco Advisors**

# Presenting Today



**Jeffrey C. Boucek, CFA**

Senior Vice President  
Director of Public Fund Consulting

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Atlanta, GA 30339  
T 770.541.4825  
jboucek@segalmarco.com  
www.segalmarco.com

# Agenda

## **Market Environment**

## **Total Fund Results**

- Review of Retirement Fund Financial Objectives

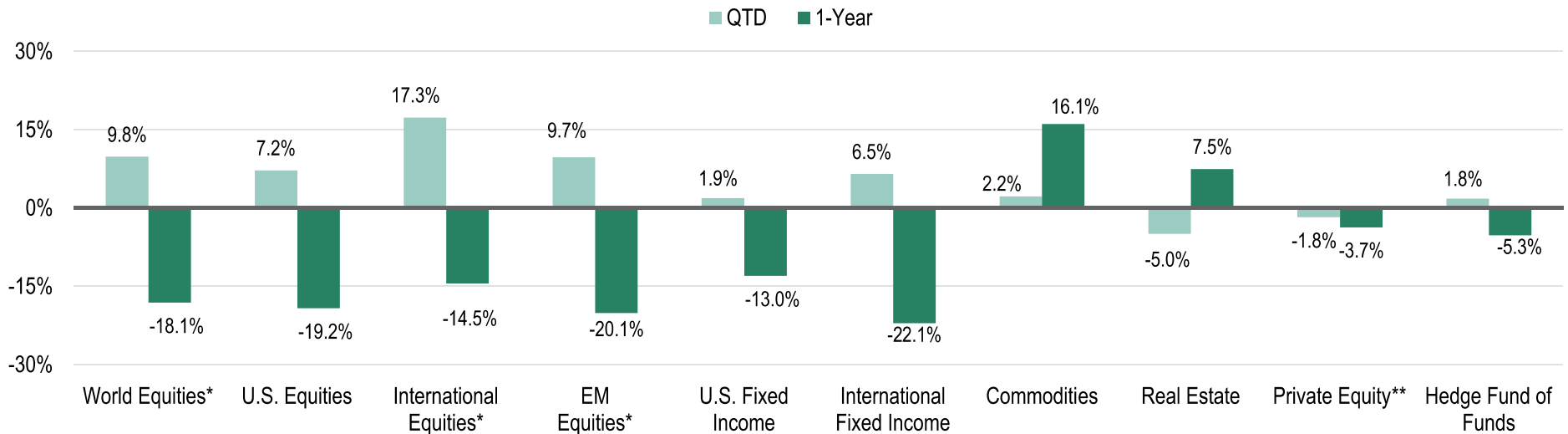
## **Individual Manager Results**

- Domestic Equity
- International Equity
- Domestic Fixed Income
- Global Fixed Income/Emerging Market Debt
- Private Real Estate

## **Total Fund Summary**

# 2022 In Review

## Summary of Investment Returns



- Despite rebounds in recent months, all capitalization sizes of US stocks were sharply negative for the year. Small capitalization was down the most and growth continued to underperform value.
- While both non-U.S. developed and emerging market stocks were negative, country specific performance varies, with commodity-driven economies like Brazil and other Latin American countries faring best and Asia, led by China, struggling.
- Fixed income sectors were negative year for the year. The last quarter of the year was positive for all fixed assets with the exception of long duration securities. TIPS, which had benefited on a relative basis from support in this inflationary environment, were also negative for the year despite strong recent performance.
- Despite struggling in the third quarter, commodities rebounded in the fourth quarter and were strong performers for the year with energy leading and industrial metals lagging.

\* Net Dividends Reinvested

\*\* Performance as of Q3 2022 because more recent performance data is not yet available.

Sources: Investment Metrics, Cambridge Associates, FactSet



# 2022 Asset Change

## Asset Growth

(\$000'S)

December 31, 2021 – December 31, 2022

Beginning Market Value		\$1,289,738
Net External Growth*		(40,627)
Return on Investment		
Income Received	\$6,718	
Gain/Loss	(\$191,867)	(185,149)
Ending Market Value		\$1,063,962

\*OPPD and employee contributions less benefit payments and Plan expenses.

# Review of Retirement Fund Financial Objective #1

The District's Retirement Fund Objective #1 is to exceed its benchmark index net of management fees.

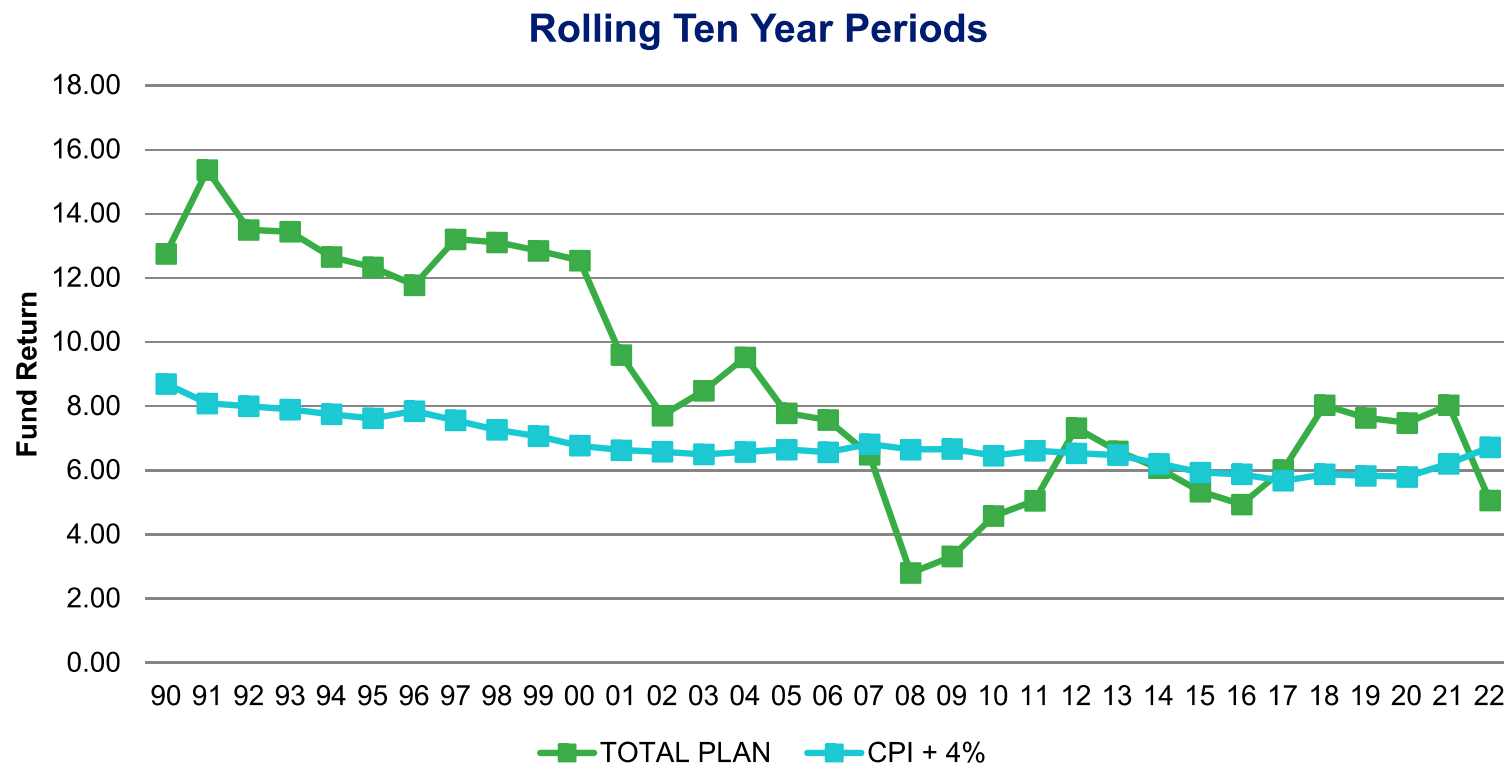
	<b>1 Yr</b>	<b>2 Yrs</b>	<b>3 Yrs</b>	<b>5 Yrs</b>	<b>7 Yrs</b>	<b>10 Yrs</b>	<b>15 Yrs</b>
TOTAL PLAN	-14.7	-4.9	0.7	2.4	5.2	5.0	4.9
Policy Index	-14.4	-3.5	1.6	3.2	5.4	5.1	4.7
Difference	-0.3	-1.4	-0.9	-0.8	-0.2	-0.1	0.2

Note: One Year gross of fee return is -14.4%. Net of fee performance calculation started on 1/1/2017. Returns beyond 5 years are gross of fees.

# Review of Retirement Fund Financial Objective #2

The District's Retirement Fund Objective #2 is to earn 4.0% above the rate of inflation.

- For the current 10-year period (2013-2022) the Retirement Fund has earned 5.0%, which is below the Objective of 6.7%.
- For the current 20-year period (2003-2022) the Retirement Fund has earned 6.2%, which is below the Objective of 6.6%.



# Domestic Equity as of 12/31/22

	Allocation		Performance (%)					
	Market Value (\$000)	%	1 Year	3 Years	5 Years	7 Years	10 Years	15 Years
SSgA Russell 1000 Index SL	202,920	19.1	-19.1	7.4	9.1			
<i>Russell 1000 Index</i>			-19.1	7.3	9.1	11.3	12.4	8.8
SSgA Russell 1000 Index SL Rank			71	60	62			
Wellington	67,150	6.3	-23.1	2.0	5.8	9.3	11.3	8.5
<i>S&amp;P MidCap 400</i>			-13.1	7.2	6.7	9.9	10.8	8.9
Wellington Rank			89	97	90	78	40	89
Frontier Small Cap Growth	28,019	2.6						
<i>Russell 2000 Growth Index</i>			-26.4	0.6	3.5	7.1	9.2	7.3
Frontier Small Cap Growth Rank								
LSV Asset Management	32,268	3.0	-6.3	5.8	3.4			
<i>Russell 2000 Value Index</i>			-14.5	4.7	4.1	8.2	8.5	6.8
LSV Asset Management Rank			22	74	75			

- SSgA Russell 1000 Index Fund posted expected results with minimal tracking error.
- Wellington underperformed both its benchmark and peer group median in 2022.
- Frontier replaced Voya during the year.
- LSV posted a strong return for the year versus both its benchmark index and peer group median.

Note: Returns are gross of fees.

# International Equity as of 12/31/22

	Allocation		Performance (%)					
	Market Value (\$000)	%	1 Year	3 Years	5 Years	7 Years	10 Years	15 Years
MFS International Equity Fund	88,281	8.3	-14.3					
MSCI EAFE			-14.5	0.9	1.5	4.5	4.7	1.8
MFS International Equity Fund Rank			30					
Invesco	49,326	4.6	-24.5	-5.8	-1.4	4.6	2.1	
MSCI EM			-20.1	-2.7	-1.4	5.2	1.4	0.6
Invesco Rank			77	98	73	85	74	
Wells	58,500	5.5	-18.6	-3.4	0.1	6.6	2.8	
MSCI EM			-20.1	-2.7	-1.4	5.2	1.4	0.6
Wells Rank			44	82	46	35	53	
Global Alpha International Small Cap	40,624	3.8	-18.4					
MSCI EAFE Small Cap (Net)			-21.4	-0.9	0.0	4.4	6.2	3.8
Global Alpha International Small Cap Rank			36					

- MFS slightly outperformed its benchmark index and placed above median for 2022.
- Invesco underperformed its benchmark and median manager while Wells outperformed both performance matrices during 2022.
- Global Alpha outperformed both its benchmark and median manager during 2022.

Note: Returns are gross of fees.

# Domestic Fixed Income as of 12/31/22

	Allocation		Performance (%)					
	Market Value (\$000)	%	1 Year	3 Years	5 Years	7 Years	10 Years	15 Years
SSGA Passive Bond Market Index	81,688	7.7	-13.2	-2.8	0.0	0.9	1.0	2.7
<i>Blmbg. U.S. Aggregate</i>			-13.0	-2.7	0.0	0.9	1.1	2.7
SSGA Passive Bond Market Index Rank			65	97	98	98	98	95
Reams	73,860	6.9	-12.7	0.3	2.1	2.4	2.1	4.1
<i>FTSE U.S. Broad Investment-Grade Bond</i>			-13.3	-2.8	0.0	0.9	1.0	2.7
Reams Rank			34	2	2	5	6	3
JPMorgan	70,654	6.6	-11.8	-2.0	0.6	1.4	1.6	
<i>FTSE U.S. Broad Investment-Grade Bond</i>			-13.3	-2.8	0.0	0.9	1.0	2.7
JPMorgan Rank			12	35	38	52	33	
Neuberger Berman	35,055	3.3	-11.3	-0.5	2.1	4.5	3.8	
<i>FTSE High Yield Market Index</i>			-11.0	-0.1	2.2	5.0	3.8	5.7
Neuberger Berman Rank			83	90	84	74	80	
SSgA US TIPS	26,708	2.5	-12.0	1.1	2.1	2.6	1.1	
<i>Blmbg. U.S. TIPS</i>			-11.8	1.2	2.1	2.6	1.1	3.1
SSgA US TIPS Rank			82	90	81	89	90	

- Both passive SSgA fixed income strategies produced expected results with minimal tracking error.
- Core Fixed Income manager, Reams, posted returns well above its benchmarks for time periods three-years and greater. The other Core Fixed Income manager, J.P. Morgan, outpaced its benchmark for all time periods.
- Neuberger Berman underperformed or matched versus its historical performance measures.

Note: Returns are gross of fees.

# Global Fixed Income/Emerging Market Debt as of 12/31/22

	Allocation		Performance (%)					
	Market Value (\$000)	%	1 Year	3 Years	5 Years	7 Years	10 Years	15 Years
Stone Harbor	43,970	4.1	-19.7	-5.7	-2.5	1.7	0.5	
JPM EMBI Global (USD)			-16.5	-4.5	-1.0	2.0	1.3	4.3
Stone Harbor Rank			93	79	79	63	52	

- Stone Harbor lagged its benchmark index and ranked in the bottom half of its peer group for all time periods.
- Colchester was replaced by private credit managers Corbin and Neuberger Berman during 2022.

Note: Returns are gross of fees.

# Private Real Estate as of 12/31/22

	Allocation		Performance (%)					
	Market Value (\$000)	%	1 Year	3 Years	5 Years	7 Years	10 Years	15 Years
Harrison Street Core Property Fund	47,525	4.5	11.7	9.2	8.8			
<i>NCREIF Fund Index-Open End Diversified Core (EW)</i>			8.4	10.6	9.2	9.0	10.4	6.3
PGIM Real Estate PRISA	47,313	4.4	6.6	10.1	9.0			
<i>NCREIF Fund Index-Open End Diversified Core (EW)</i>			8.4	10.6	9.2	9.0	10.4	6.3

- Both real estate managers provided strong absolute results for the Total Fund in 2022.

Note: Returns are gross of fees.



---

# Total Fund Summary

- The Total Fund returned -14.7%, net of fees, for the year ended December 31, 2022.
  - Assets decreased by approximately \$226 million.
  - Year-end market value was \$1,064.0 million.
- The Total Fund underperformed its Policy Index by 30 basis points in 2022 net of fees.
- The Total Fund continues to perform well longer-term, outpacing the policy index over the longer fifteen-year period.



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

401(k) and 457 Retirement Savings Plans – 2022 Annual Report

### PURPOSE

To report the fund options for OPPD's 401(k) and 457 Retirement Savings Plans for 2022.

### FACTS

- a. The District offers two retirement savings plans, 401(k) and 457, that provide the ability for employees to save current earnings for retirement. The investment options for the 401(k) and 457 Plans are monitored by a committee of employees that includes members of the Treasury & Financial Operations division and Human Capital division. The investment options are identical in the 401(k) and 457 Plans.
- b. The market value for OPPD's 401(k) and 457 Retirement Savings Plans was \$531.4 million as of December 31, 2022. During the year, employee contributions totaled \$14.3 million and OPPD's contributions totaled \$5.9 million in both plans.
- c. A summary listing investment options, balances, and annual fund performance for the period ending December 31, 2022 is attached.

### RECOMMENDED:

### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:  
*Jeff Bishop*  
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Jeffrey M. Bishop  
Vice President and Chief Financial Officer

DocuSigned by:  
*L. Javier Fernandez*  
AC399FDCE56247E...

L. Javier Fernandez  
President and Chief Executive Officer

JWT:trv

Attachments: Summary of Fund Options and Performance

**OPPD 401(k)/457 Retirement Savings Plans  
Fund Options and Performance  
Period Ending December 31, 2022**

Domestic Equity Funds	Fund Type	Balance as of 12/31/22	Performance				
			One year return	Index	Difference	Three year return	Five year return
American Funds Washington Mutual Investors Fund	Large Capitalization Value	\$ 44,118,736	-8.2%	-7.5%	-0.7%	8.6%	9.4%
American Funds New Economy Fund	Large Capitalization Growth	\$ 46,329,257	-29.4%	-18.4%	-11.0%	2.0%	5.3%
T Rowe Price Blue Chip Growth Fund (T2)	Large Capitalization Growth	\$ 63,109,905	-38.6%	-29.1%	-9.5%	-0.9%	5.2%
Fidelity 500 Index Fund	Large Capitalization Index Fund	\$ 51,363,889	-18.1%	-18.1%	0.0%	7.6%	9.4%
JP Morgan Value Advantage Fund	Multi Capitalization Growth	\$ 41,515,439	-3.8%	-8.0%	4.2%	6.9%	7.1%
Wellington Mid Cap Opportunities Fund (Series 1)	Middle Capitalization Core	\$ 19,525,983	-23.1%	-17.3%	-5.8%	1.9%	N/A
T Rowe Price Institutional Small-Cap Stock Fd	Small Capitalization Core	\$ 38,845,989	-23.3%	-20.4%	-2.9%	3.8%	7.8%
<b>Total Domestic Equity Funds</b>		<b>\$ 304,809,198</b>					

International/Global Equity Funds	Fund Type	Balance as of 12/31/22	Performance				
			One year return	Index	Difference	Three year return	Five year return
American Funds EuroPacific Growth Fund	International Equity	\$ 26,955,993	-22.7%	-15.6%	-7.1%	-0.2%	1.5%
Fidelity Total International Index Fund	International Equity Index Fund	\$ 2,839,635	-16.3%	-16.0%	-0.3%	0.3%	1.0%
American Funds New Perspective Fund	Global Equity	\$ 32,884,355	-25.6%	-18.4%	-7.2%	5.5%	7.7%
DFA Emerging Markets Core Equity Portfolio	Emerging Markets	\$ 7,924,108	-16.4%	-19.7%	3.3%	0.2%	-0.2%
<b>Total International/Global Equity Funds</b>		<b>\$ 70,604,091</b>					

Domestic Fixed Income Funds	Fund Type	Balance as of 12/31/22	Performance				
			One year return	Index	Difference	Three year return	Five year return
Invesco Short-Term Investments Govt & Agency Portfolio	Money Market	\$ 14,820,523	1.6%	1.5%	0.1%	0.7%	1.2%
Fidelity US Bond Index Fund	Domestic Bond Index Fund	\$ 3,009,848	-13.0%	-13.0%	0.0%	-2.7%	0.0%
Natixis Loomis Sayles Core Plus Bond Fund	Core Bond	\$ 12,577,229	-12.7%	-13.0%	0.3%	-1.6%	0.7%
BlackRock Low Duration Bond Portfolio	Intermediate Bond	\$ 7,291,262	-4.7%	-3.8%	-0.9%	-0.5%	0.8%
BlackRock High Yield Bond Portfolio	High Yield Bond	\$ 5,604,360	-10.3%	-11.2%	0.9%	0.2%	2.5%
Fidelity Inflation Protected Bond Index Fund	TIPS	\$ 2,236,910	-12.0%	-11.8%	-0.2%	1.1%	2.0%
<b>Total International/Global Equity Funds</b>		<b>\$ 45,540,132</b>					

Other Funds	Fund Type	Balance as of 12/31/22
Target Investment Strategy Funds	Target Date	\$ 94,670,157
United of Omaha Annuity/Guaranteed Income Contracts	Annuities/Guaranteed Income	\$ 15,807,625
<b>Total Other Funds</b>		<b>\$ 110,477,782</b>

<b>Total All Funds</b>	<b>\$ 531,431,203</b>
------------------------	-----------------------



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Other Post Employment Benefits (OPEB) Trusts – 2022 Annual Report

### PURPOSE

Report OPEB Trust Performance for 2022

### FACTS

- a. The District has established two Other Post Employment Benefits (OPEB) Trusts to fund the liability of medical and life insurance benefits for retired employees and their spouses. The first trust is designated for employees hired prior to 2008 (Pre-2008 OPEB Trust Fund). The second trust is designated for employees hired after December 31, 2007 (Post-2007 OPEB Trust Fund). The investments for the two OPEB Trust Funds are monitored by an investment committee (Committee) comprised of the Vice Presidents of Financial Services and Human Capital and the Directors of Treasury and Financial Operations, Corporate Accounting and Total Rewards.
- b. The market value of the Pre-2008 OPEB Trust Fund equaled \$170.6 million as of December 31, 2022, compared to \$197.2 million as of December 31, 2021. The District's contributions totaled \$12.6 million, retiree contributions were \$4.0 million and benefit payments along with associated fees were \$24.3 million for 2022. The Pre-2008 OPEB Trust Fund was primarily invested in a global equity fund, a real return fund, a private real estate fund and a core fixed income fund. The asset allocation at year-end was 51.4% equity, 16.5% fixed income, 20.6% real return and 11.5% private real estate, which is within the Investment Policy guidelines. The Fund had a -11.5% return for 2022.
- c. The market value of the Post-2007 OPEB Trust Fund equaled \$7.4 million as of December 31, 2022, compared to \$7.5 million as of December 31, 2021. The District's contributions totaled \$1.0 million in 2022. Benefit payments along with associated fees totaled \$45,409. There were no retiree contributions during 2022. The Post-2007 OPEB Trust Fund was primarily invested in a core bond fixed income fund and a global equity index fund. The asset allocation at year-end was 74.3% fixed income and 25.7% equity which is within the Investment Policy guidelines. The Fund had a -13.1% return for 2022.
- d. A summary listing investment balances and annual fund performance for the period ending December 31, 2022, is attached.

### RECOMMENDED:

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Jeffrey M. Bishop  
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### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:  
  
L. Javier Fernandez  
AC399FDCE56247E...

TFO:jda

Attachments: Investment Balance Summary

**OPPD Other Post Employment Benefit Trusts (OPEB)  
Fund Performance  
Period Ending December 31, 2022**

OPEB Pre-2008 Trust	Fund Type	Balance as of 12/31/22***	Performance				
			One year return	Index	Difference	Three Year return	Five Year return
Wellington Global Opportunities	Global Equity Fund	\$ 87,607,889	-19.2%	-18.4%	-0.8%	5.1%	5.4%
Wellington Core Bond Fund	Core Fixed Income Fund	\$ 27,747,421	-14.4%	-13.0%	-1.4%	-2.6%	0.2%
SSgA Real Asset	Real Return Fixed Fund	\$ 35,136,065	3.2%	3.0%	0.2%	8.9%	6.4%
PGIM Real Estate PRISA*	Private Real Estate Fund	\$ 19,646,886	6.6%	8.4%	-1.8%	10.1%	N/A

OPEB Post-2007 Trust	Fund Type	Balance as of 12/31/22***	Performance				
			One year return	Index	Difference	Three Year return	Five Year return
Hartford Total Return Bond Fund**	Core Fixed Income Fund	\$ 3,796,254	-14.0%	-13.0%	-1.0%	-2.3%	N/A
Vanguard Total World Stock Index Fund	Global Equity Index Fund	\$ 1,906,625	-18.0%	-17.9%	-0.1%	4.2%	5.3%

\* New investment for OPEB A as of September 30, 2019

\*\*Moved from Vanguard Total Bond Market Index to Hartford Total Return Bond Fund as of July 29, 2019

\*\*\*The listed balances do not include money market fund and accrued income balances



# Board Action

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

SD-14: Retirement Plan Funding Monitoring Report

### PURPOSE

To ensure full Board review, discussion and acceptance of SD-14: Retirement Plan Funding Monitoring Report

### FACTS

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The Finance Committee is responsible for evaluating Board Policy SD-14: Retirement Plan Funding Monitoring Report on an annual basis.
- d. The Finance Committee has reviewed the SD-14: Retirement Plan Funding Monitoring Report and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

### ACTION

The Finance Committee recommends Board approval of the 2023 SD-14: Retirement Plan Funding Monitoring Report.

RECOMMENDED:

DocuSigned by:  
*Jeff Bishop*  
65F902772CFF45A...

Jeff M. Bishop  
Vice President and Chief Financial Officer

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
*L. Javier Fernandez*  
AC399FDCE56247E...

L. Javier Fernandez  
President and Chief Executive Officer

JMB:jap

Attachments: Exhibit A - Monitoring Report  
Resolution



# Monitoring Report SD-14: Retirement Plan Funding March 14, 2023

Jeff Bishop, Vice President – Financial Services & CFO

# SD-14: Retirement Plan Funding

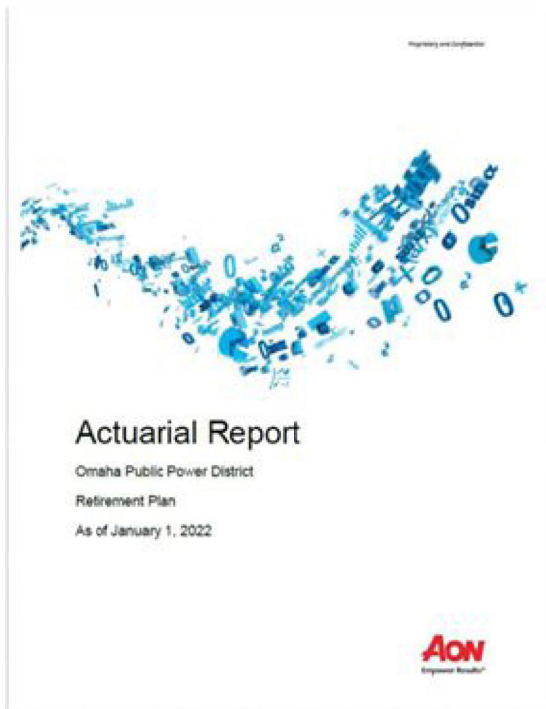
The Retirement Plan Funding Policy is intended to provide guidance for funding and budgeting for pension obligations, demonstrate prudent financial management practices, re-assure bond rating agencies, and provide transparency to stakeholders on how the Retirement Plan (“Plan”) is funded. OPPD intends to provide for systematic funding of future benefit payments for Plan participants and their beneficiaries.

Therefore:

- A nationally recognized actuarial firm should be utilized to perform the analysis to determine the annual required contribution to the Plan.
- The discount rate to be used to determine the Plan’s current funded status and required contribution will be established with the assistance of an investment consultant.
- OPPD intends to achieve long-term full funding of the cost of benefits provided by the Plan by funding the actuarially determined annual required contribution each year.



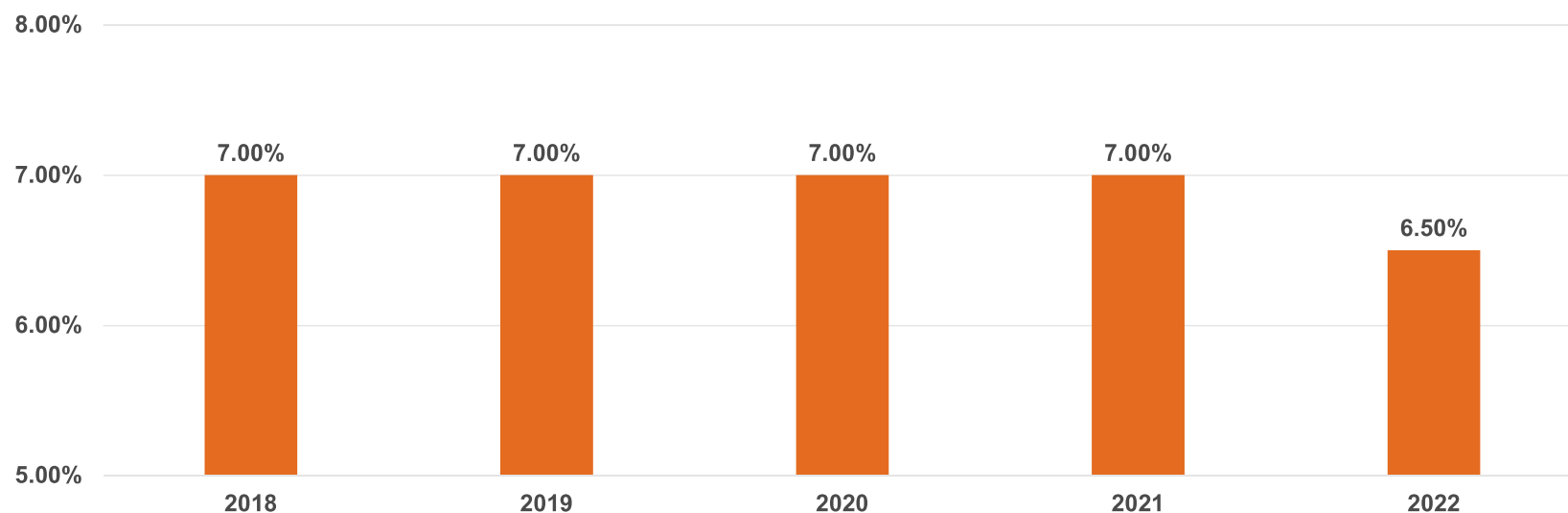
# A nationally recognized actuarial firm should be utilized to perform the analysis to determine the annual required contribution to the Plan



- Established relationship with actuary - Aon
- Annual Actuarial Report documents the actuarial valuations for the Retirement Plan assets and liabilities and determines annual required contribution to achieve a fully funded plan within the actuarial period.
- Valuations are conducted in accordance with generally accepted actuarial principles and practices, including Applicable Standards of Practice as issued by the Actuarial Standards Board.

The discount rate to be used to determine the Plan's current funded status and required contribution will be established with the assistance of an investment consultant.

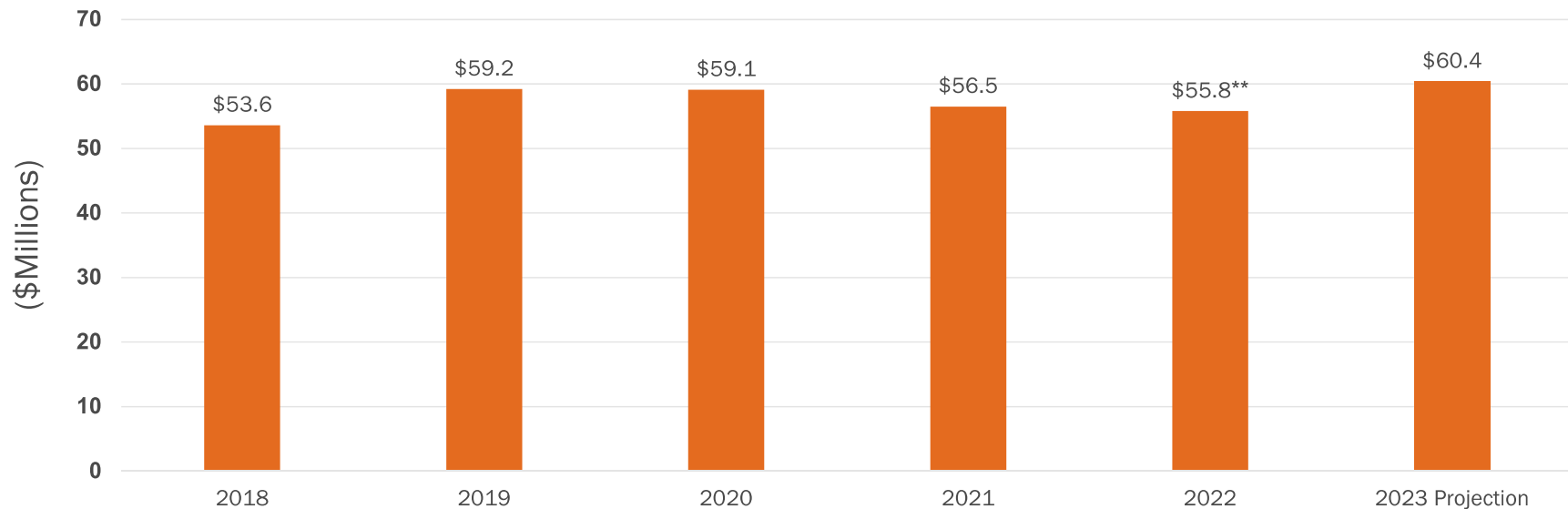
Discount Rate\*



Discount rates are determined by the District's Investment Consultant, Segal Marco, based on the Retirement Plan's asset allocation and active/passive management. The District updated the Plan's discount rate to 6.5% for 2022 as a result of changes due to an asset/liability study.

# OPPD intends to achieve long-term full funding of the cost of benefits provided by the Plan by funding the actuarially determined annual required contribution each year.

Annually Required Contributions (ARC)\*



\* Per policy, the District annually funds Aon's determined ARC each year

\*\* In 2021, an additional \$95 million was contributed to the Plan from the Decommissioning and Benefits Reserve

# Retirement Plan Funded Ratio

Year	2018	2019	2020	2021	2022
Funded Ratio*	70.0%	67.8%	68.9%	72.0%	75.5%
Discount Rate	7.0%	7.0%	7.0%	7.0%	6.5%
Retirement Fund Return**	16.5%	-6.3%	19.0%	13.3%	6.4%
Other Factors Affecting the Funded Ratio	Updated the mortality table. The FCS assumptions were updated to reflect the current head count forecast.	Updated the mortality table. The FCS assumptions were updated to reflect the current decommissioning forecasts	Updated the mortality tables. The FCS assumptions were updated to reflect the current decommissioning forecasts .	Updated the mortality tables. The active retirement rates, withdrawal rates, salary scale and terminated vested commencement age were changed based on a new assumption study. The FCS assumptions were eliminated	Made an additional contribution of \$95 million into the Retirement Plan from the Decommissioning and Benefit Reserve. Changed the discount rate from 7% to 6.5%. Updated the mortality tables for healthy and disabled participants.

\* Funded Ratio is determined as of January 1 of each year.

\*\* Retirement Fund return as of January 1 of each year. The return as of January 1, 2023 was -14.4%.

The District's objective is to reach a fully funded Retirement Plan over the next 20 years

Source: Aon Annual Actuarial Report – Actuarial Accrued Liability to Actuarial Value of Assets

# Recommendation

- The Finance Committee has reviewed and accepted this Monitoring Report for SD-14 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-14.



Spurgeon/Bishop

**DRAFT**  
**RESOLUTION NO. 6554**

**WHEREAS**, the Board of the Directors has determined it is in the best interest of the District, its employees, and its customer-owners to establish written policies that describe and document OPPD's corporate governance principles and procedures; and

**WHEREAS**, each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process; and

**WHEREAS**, the Board's Finance Committee (the "Committee") is responsible for evaluating Board Policy SD-14: Retirement Plan Funding on an annual basis. The Committee has reviewed the SD-14: Retirement Plan Funding Monitoring Report and finds OPPD to be sufficiently in compliance with the policy as stated.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of Omaha Public Power District accepts the SD-14: Retirement Plan Funding monitoring report, in the form as set forth on Exhibit A attached hereto and made a part hereof, and finds OPPD to be sufficiently in compliance with the policy as stated.



## Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT  
PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
Mar 1, 2023, 4:00 – 5:30 P.M.

1. Safety Briefing (Pohl – 2 min)
  - a. Objective: Promote awareness of current safety focus.
2. AMI Meters and Communications Update (Underwood – 20 min)
  - a. Objective: Provide an update on the District's work related to meter and communication systems.
3. Near Term Resource Plan (Underwood – 50 min)
  - a. Objective: Provide early information on the implications to serve a rapidly growing community.
4. Committee Charter Review (Via – 15 min)
  - a. Objective: Complete Committee Charter review and identify any appropriate changes for Board consideration.
5. Summary (Pohl – 3 min)
  - a. Objective: Summarize direction provided by the committee.



## Board Action

### BOARD OF DIRECTORS

March 14, 2023

#### ITEM

Nebraska City Station Unit 2 Economizer Outlet Expansion Joint Replacement Removal and Installation Labor

#### PURPOSE

Issue labor services contract for the replacement of the economizer outlet expansion joints for Nebraska City Station Unit 2.

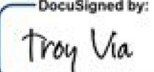
#### FACTS

- a. The economizer outlet expansion joints for Nebraska City Station Unit 2 have been evaluated and will be replaced to ensure continued reliability.
- b. The District requested bids for labor for removal and installation of replacement materials. Three bids were received and all bids were determined to be legally and technically responsive.
- c. Installation of OPPD supplied materials will be performed in the spring of 2023 during a scheduled maintenance outage.

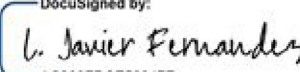
#### ACTION

Authorization by the Board of Directors to award a contract to TEiC Construction Services, Inc. to replace the economizer outlet expansion joints for Nebraska City Station Unit 2 in the amount of \$979,828.00.

#### RECOMMENDED:

DocuSigned by:  
  
Troy R. Via  
Chief Operating Officer and Vice  
President – Utility Operations

#### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
L. Javier Fernandez  
President and Chief Executive Officer

TRV:sae

Attachments: Letter of Recommendation  
Tabulation of Bids  
Legal Opinion  
Resolution

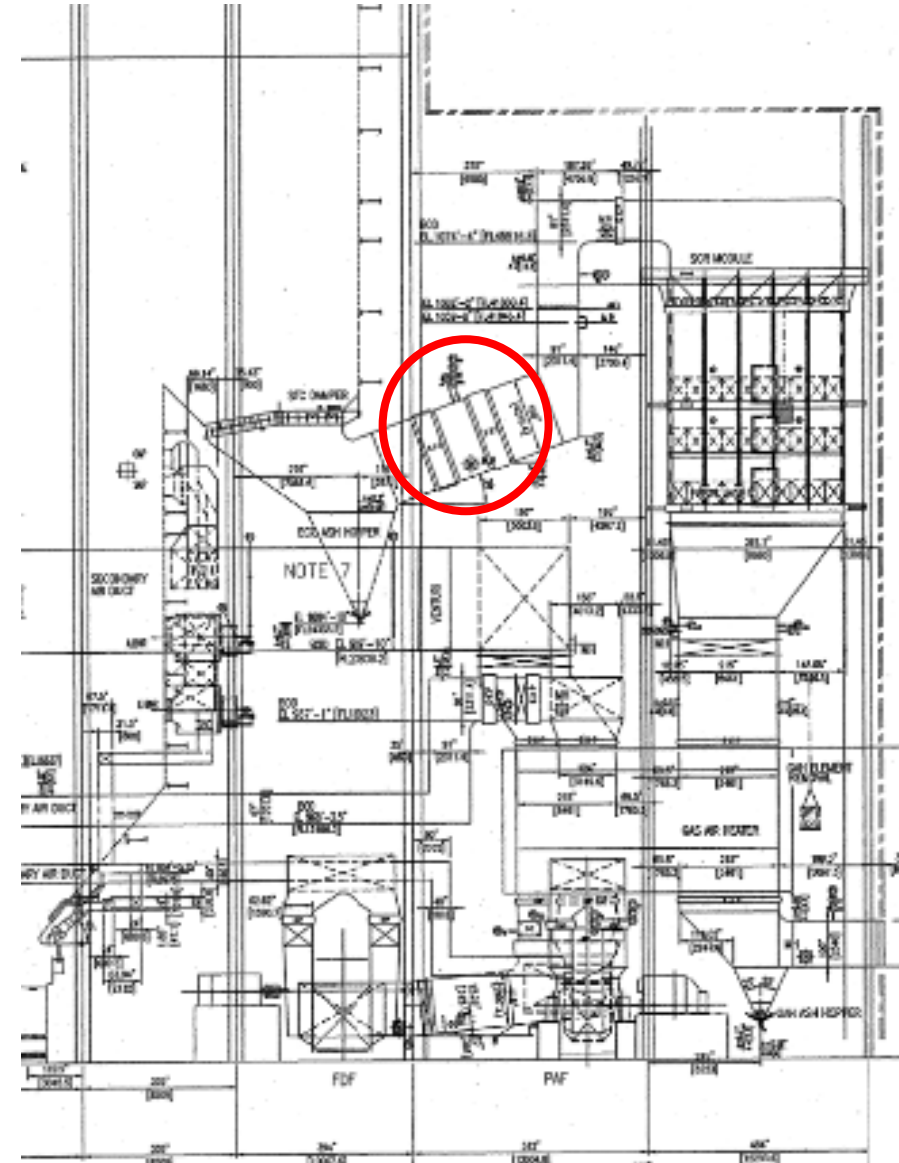


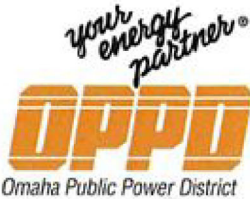
# Nebraska City Station Unit 2

## Economizer Outlet Expansion Joint Replacement



Bulging joint area





## MEMORANDUM

**DATE:** February 24, 2023

UO-2022-003

**FROM:** S.A. Eidem

**TO:** T.R. Via

**SUBJECT:** Nebraska City Station Unit 2 Economizer Outlet Expansion Joint Replacement Labor

### 1.00 GENERAL

Request for Proposal (RFP) No. 6032 is for the removal and replacement of four economizer outlet expansion joints including labor, equipment, insulation, rigging, and scaffolding services at the Nebraska City Station Unit 2 (NC2). This contract is for labor services only and does not include the design and supply of materials. A material supply contract for the economizer outlet expansion joints was previously awarded to Ejcon Corporation per RFP 6015 for \$271,713. Installation is planned to occur during the scheduled unit outage in the spring of 2023.

The NC2 economizer outlet expansion joints are original equipment and have been in service since commercial operation started in 2009. The expansion joints are at the end of their useful life and require increased maintenance to remain operational. The expansion joints have been evaluated and require replacement to maintain reliability.

Three proposals were submitted per the sealed bid process and opened in response to the RFP on February 15, 2023. The Engineer's Estimate for this work was \$850,000. The bid prices are tabulated as follows:

Bidders	Bid Price
TEiC Construction Services, Inc.	\$979,828.00
Total-Western, Inc.	\$1,004,472.00
Process Barron	\$1,541,009.00

### 2.00 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

The three proposals were referred to the District's legal counsel for review. The proposals received in response to the District's RFP No. 6032 may be

considered by the District's Board of Directors for the award of this contract.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS


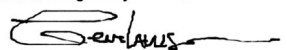
The three proposals received were determined to comply with the technical requirements.

4.00 RECOMMENDATION

Based on compliance with the legal and technical requirements of this specification, it is recommended the Board of Directors authorize award of Request for Proposal No. 6032 to TEiC Construction Services, Inc. for \$979,828.

A handwritten signature in blue ink, appearing to read "S.A. Eidem", is written over the typed name and title.

S.A. Eidem, P.E.  
Director, Engineering Services  
Utility Operations

<p><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Wednesday,                  February 15, 2023, in Omaha, Nebraska</p>		<p><b>REQUEST FOR PROPOSAL NO. 6032</b></p> <p><b>Nebraska City Station Unit 2 Economizer Outlet                  Expansion Joints Installation</b></p>		<p>DocuSigned by:                    C171422F76EE422...  <b>Director</b></p> <p>DocuSigned by:                    5EC5B86907EE4F6  <b>Supply Chain Management</b>                  Compiled by and Certified Correct</p>	
<p>Anticipated Award Date                  March 16, 2023</p>					
<p>ENGINEER'S ESTIMATE</p> <p><u>\$850,000.00</u></p>					
<p><b>BID ITEM</b></p>		<p><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
		<p>TEiC Construction Services, Inc                  170 Tucapau Rd                  Ducan, SC 29334</p>	<p>Total-Western, Inc.                  8049 Siomerset Blvd                  Paramount, CA 90723</p>	<p>ProcessBarron                  P.O. Box 1607                  Pelham, AL 35124</p>	
		<p><b>SUPPLIER'S BID</b></p>	<p><b>SUPPLIER'S BID</b></p>	<p><b>SUPPLIER'S BID</b></p>	
1.	<p><u>Proposal Price(S)</u></p> <p>Lump Sum Firm Price</p>	<p><u>\$979,828.00</u></p>	<p><u>\$1,004,472.00</u></p>	<p><u>\$1,541,009.00</u></p>	
2.	<p><u>Completion Guarantee(s)</u></p> <p>Internal Work Completed: May 15,2023</p> <p>Complete Demobilization: May 25, 2023</p>	<p><u>Guaranteed Completion Date</u></p> <p><u>May 15, 2023</u></p> <p><u>May 25, 2023</u></p>	<p><u>Guaranteed Completion Date</u></p> <p><u>May 15, 2023</u></p> <p><u>May 25, 2023</u></p>	<p><u>Guaranteed Completion Date</u></p> <p><u>May 15, 2023</u></p> <p><u>May 17, 2023</u></p>	



Stephen M. Bruckner  
ATTORNEY  
402.978.5225  
sbruckner@fraserstryker.com  
fraserstryker.com

February 17, 2023

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

RE: Request for Proposal No. 6032 – Nebraska City Station Unit 2 Economizer Outlet  
Expansion Joints Installation ("RFP No. 6032")

Ladies and Gentlemen:

We have reviewed the three (3) proposals received in response to the District's RFP No. 6032 and provide the following legal opinion.

The proposal of Process Equipment, Inc. does not acknowledge receipt of the District's Letter of Clarification No. 1 ("LC 1"). This proposal also submits Process Equipment's standard contract terms. If the proposal of Process Equipment, Inc. is to be considered for the award of this contract, the District should obtain a letter of clarification from this bidder that it acknowledges receipt of the District's LC 1 and agrees that in the event of a conflict between its standard terms and the terms of the District's RFP, the terms of the District's RFP contract documents shall govern.

The proposal of Total-Western, Inc. submits exceptions and clarifications to the RFP No. 6032 contract documents, which include proposed revisions to the payment, warranty and insurance sections. We do not deem these exceptions and clarifications to be materially non-responsive; however, they are subject to the District's economic evaluation.

The proposal of TEiC Construction Services, Inc. does not contain any exceptions or clarifications to the contract documents.

Subject to the foregoing comments and the District's technical and economic evaluation, all of the proposals received in response to the District's RFP No. 6032 may be considered by the District's Board of Directors for the award of this contract. The form of performance and payment bond for the successful bidder also must be approved by the Board.

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290

February 17, 2023  
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen M. Bruckner", with a long horizontal flourish extending to the right.

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2963610



Moody/Via

**DRAFT**  
**RESOLUTION NO. 6555**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6032**  
**NEBRASKA CITY STATION UNIT 2 ECONOMIZER OUTLET**  
**EXPANSION JOINTS INSTALLATION**

**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 the proposal of TEiC Construction Services, Inc. in the amount of \$979,828.00 for the removal and replacement of four economizer outlet expansion joints including labor, equipment, insulation, rigging, and scaffolding services at the Nebraska City Station Unit 2 pursuant to Request for Proposal No. 6032 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



# Board Action

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Award RFP No. 6024 “Substation Control Building and Switchgear Enclosure”

### PURPOSE

Board of Directors authorization to reject the proposals received for RFP No. 6024, and for the District to enter into a negotiated contract for the purchase of one (1) Substation Control Building and Switchgear Enclosure to support development of a new substation.

### FACTS

- a. Development of this substation supports load growth near Bennington.
- b. Substation control buildings and switchgear enclosures house equipment to monitor, control, protect, and operate the energy delivery system.
- c. Four (4) proposals were received; one (1) is legally responsive and zero (0) are technically responsive.
- d. Desired delivery of the substation control building and switchgear enclosure is February 2024.

### ACTION

Authorization by the Board to reject all proposals received for RFP No. 6024 “Substation Control Building and Switchgear Enclosure” and allow District Management to enter into a negotiated contract.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
161107221FA24AE...  
Troy R. Via  
Chief Operating Officer and  
Vice President – Utility Operations

DocuSigned by:  
  
AC399FDCE50247E...  
L. Javier Fernandez  
President and Chief Executive Officer

TRV:jgb

Attachments: Analysis of Proposals  
Tabulation of Bids  
Legal Opinion  
Resolution



# Substation Control Building and Switchgear Enclosures



Substation Control Building and Switchgear Enclosures house equipment to monitor, control, protect, and operate the energy delivery system.



## MEMORANDUM

**DATE:** March 7, 2023

**FROM:** D. D. Buelt

**TO:** T. R. Via

RFP No. 6024  
"Substation Control Building and Switchgear Enclosure"

### Analysis of Proposals

#### 1.00 GENERAL

RFP No. 6024 was advertised for bid on January 13, 2023.

This contract will procure one (1) complete control building and switchgear enclosure delivered to the substation as a full assembly which includes the building, relay panels, 15kV switchgear, batteries and other equipment for a new substation to support load growth and reliability in the Douglas County area.

Desired delivery of the substation control building and switchgear enclosure is February 2024.

No Letters of Clarification (LOC) were issued. One Addendum was issued.

Bids were requested and opened at 2:00 p.m., C.S.T., Tuesday, February 9, 2023.

Four proposals were received which are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Electrical Power Products, Inc.	\$1,814,149.00 <sup>1</sup>	Yes	No
Eaton Corporation	\$2,746,260.87 <sup>2</sup>	No	No
Myers Power Products, Inc.	\$2,814,688.00 <sup>3</sup>	No	No
Avail Enclosure Systems KS	\$3,255,659.00 <sup>4</sup>	No	No
<sup>1</sup> Lump sum firm price does not include 15kV switchgear. <sup>2</sup> Lump sum firm price does not include unloading and re-assembly of building. <sup>3</sup> Lump sum firm price does not include unloading of building. <sup>4</sup> Lump sum firm price does not include delivery, unloading and re-assembly of building.			

March 7, 2023

Page 2 of 2

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel noted that the bid received from Electrical Power Products, Inc. is legally responsive and may be considered by the Board of Directors for the award of this contract.

OPPD's legal counsel noted that the bid received from Eaton Corporation (represented by Evans, Lipka and Associates, Inc.) is not a firm proposal and must be rejected based on the following: bid references previously negotiated terms and conditions but does not identify the previous terms, bid states that it is "willing to negotiate" terms which cannot be done on a sealed bid contract, and the proposal states that the delivery date may change based on factory availability.

OPPD's legal counsel noted that the bid received from Myers Power Products, Inc. is not a firm proposal and must be rejected based on the following: bid includes substantial revisions to the District's contract terms including cancellation charges and a refusal to pay liquidated damages, bid includes a non-firm delivery date, and bid states that "standard terms" shall apply and notes that if the District requires different terms, then Myers reserves the right to update its proposal which cannot be done on a sealed bid RFP.

OPPD's legal counsel noted that the bid received from Avail Enclosure Systems is materially non-responsive since the bid deletes the requirement for a performance and payment bond.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

Electrical Power Products, Inc.'s bid does not include 15kV switchgear within its proposal and does not meet the desired delivery date. Therefore, Electrical Power Products, Inc.'s bid is deemed technically non-responsive.

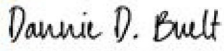
Eaton Corporation's (represented by Evans, Lipka and Associates, Inc.) bid does not include pricing for unloading and re-assembly of the building and does not meet the desired delivery date. Therefore, Eaton Corporation's bid is deemed technically non-responsive.



Myers Power Products, Inc.'s bid does not include pricing for unloading of the building and does not meet the desired delivery date and therefore is deemed technically non-responsive.



Avail Enclosure Systems KS's bid does not include pricing for delivery, unloading and re-assembly of the building and does not meet the desired delivery date. Therefore, Avail Enclosure Systems KS's bid is deemed technically nonresponsive.

## 4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements, it is recommended that all proposals received for RFP No. 6024 "Substation Control Building and Switchgear Enclosure" be rejected by the Board of Directors and that District Management be authorized to enter into a negotiated contract.

DocuSigned by:  
  
Dannie Bueft, PE  
Director Engineering  
Utility Operations

<p style="text-align: center;"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Tuesday, February 9, 2023, in                  Omaha, Nebraska</p> <hr/> <p style="text-align: center;">Anticipated Award Date                  March 16, 2023</p> <hr/> <p style="text-align: center;"><b>ENGINEER'S ESTIMATE</b></p> <p style="text-align: center;"><b>\$2,650,000.00</b></p>	<p><b>REQUEST FOR PROPOSAL NO. 6024</b>  <b>Substation Control Building and Switchgear Enclosure</b></p>			<p style="text-align: right;"><small>Designed by</small>    <small>CIT14207FEE422</small></p> <hr/> <p style="text-align: center;"><b>Director</b>                  Supply Chain Management</p> <hr/> <p style="text-align: right;"><small>Designed by</small>    <small>SNP275088425E</small></p> <p style="text-align: center;"><b>Compiled by and Certified Correct</b></p>
<p><b>BID ITEM</b></p>	<p><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p><b>Electrical Power Products, Inc.</b>                  4240 Army Post Road                  Des Moines, IA 50321</p>	<p><b>Eaton Corporation</b>                  9400 Globe Center Drive, Suite 121                  Morrisville, NC 27560</p>	<p><b>Myers Power Products, Inc.</b>                  14825 St. Mary's Lane, Ste 204                  Houston, TX 77079</p>	
<p><b>1. Price Proposal:</b></p> <p><b>1.1 Firm base price to furnish one (1) Sub 1247 Substation Control Building and Switchgear Enclosure.</b>                  *To include Letter of Credit or Performance and Payment Bond equal to Contract Value (see Attachment C)</p> <p><b>1.2 Firm base price to deliver, FOB foundation, to the delivery location specified below, and complete Sub 1247 Substation Control Building Enclosure installation</b></p> <p><b>1.3 Total lump sum price to furnish, deliver and install Sub 1247 Substation Control Building and Switchgear Enclosure</b></p> <p><b>2. Completion Guarantee:</b>                  Enclosure: February 19, 2024</p>	<p style="text-align: center;"><b>SUPPLIER'S BID</b></p> <p style="text-align: center;"><u>\$1,637,086.00</u></p> <p style="text-align: center;"><u>\$177,063.00</u></p> <p style="text-align: center;"><u>\$1,814,149.00</u></p> <p style="text-align: center;"><b><u>Guaranteed Delivery Date</u></b>  <u>56 weeks ARO</u></p>	<p style="text-align: center;"><b>SUPPLIER'S BID</b></p> <p style="text-align: center;"><u>\$2,746,260.87*</u></p> <p style="text-align: center;"><u>FOB Destination included in 1.1 Unloading and installation by other</u></p> <p style="text-align: center;"><u>\$2,746,260.87 *See 1.2 above</u></p> <p style="text-align: center;"><b><u>Guaranteed Delivery Date</u></b>  <u>Reference Quote Letter</u></p>	<p style="text-align: center;"><b>SUPPLIER'S BID</b></p> <p style="text-align: center;"><u>\$2,465,730.-</u></p> <p style="text-align: center;"><u>\$348,958.-</u></p> <p style="text-align: center;"><u>\$2,814,688.-</u></p> <p style="text-align: center;"><b><u>Guaranteed Delivery Date</u></b>  <u>June 21, 2024</u></p>	

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Tuesday, February 9, 2023, in                  Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 6024</b>  <b>Substation Control Building and Switchgear Enclosure</b></p> <p align="right">Page 2 of 3</p>			<p align="center">                   Director                  Supply Chain Management                    Compiled by and Certified Correct             </p>		
<p align="center">Anticipated Award Date                  March 16, 2023</p>				<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>		
<p align="center"><b>ENGINEER'S ESTIMATE</b>                   \$2,650,000.00</p>				<p align="center">Avail Enclosure Systems KS                  1801 E. 27th Street Terrace                  Pittsburg, KS 66762</p>		
<p align="center"><b>BID ITEM</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><b>1. Price Proposal:</b></p> <p><b>1.1 Firm base price to furnish one (1) Sub 1247 Substation Control Building and Switchgear Enclosure.</b>                  *To include Letter of Credit or Performance and Payment Bond equal to Contract Value (see Attachment C)</p> <p><b>1.2 Firm base price to deliver, FOB foundation, to the delivery location specified below, and complete Sub 1247 Substation Control Building Enclosure installation</b></p> <p><b>1.3 Total lump sum price to furnish, deliver and install Sub 1247 Substation Control Building and Switchgear Enclosure</b></p> <p><b>2. Completion Guarantee:</b>                  Enclosure: February 19, 2024</p>	<p align="center">\$3,255,659.00</p> <p align="center">Not included at this time</p> <p align="center">\$ _____</p> <p align="center"><u>Guaranteed Delivery Date</u>                  65 weeks after Purchase Date</p>	<p align="center">\$ _____</p> <p align="center">\$ _____</p> <p align="center">\$ _____</p> <p align="center"><u>Guaranteed Delivery Date</u></p>	<p align="center">\$ _____</p> <p align="center">\$ _____</p> <p align="center">\$ _____</p> <p align="center"><u>Guaranteed Delivery Date</u></p>			



Stephen M. Bruckner  
ATTORNEY  
402.978.5225  
sbruckner@fraserstryker.com  
fraserstryker.com

February 17, 2023

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

RE: Request for Proposal No. 6024 – Substation Control Building & Switchgear  
Enclosure ("RFP No. 6024")

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to the District's RFP No. 6024 and provide the following legal opinion:

The proposal of Avail Closure Systems deletes the RFP's requirement for a performance and payment bond. For this reason, the Avail proposal is materially non-responsive to the contract documents and may not be considered for the award of this RFP.

The proposal of Myers Power Products, Inc. states that Myers' "standard terms" shall apply to this RFP and that, if the District requires different terms, then Myers reserves the right to update its proposal. A sealed bid RFP is not subject to negotiation. Based on Myers' statement regarding the contract terms, the Myers proposal is not a firm proposal that may be considered by the District's Board of Directors for the award of this RFP. Additionally, we note that the Myers proposal submits substantial revisions to the District's contract terms, including cancellation charges and a refusal to pay liquidated damages, as well as a non-firm delivery date.

The proposal of Evans, Lipka and Associates, Inc. states that its proposal is subject to previously negotiated terms and conditions. However, the proposal does not identify those previous terms. Further, Evans, Lipka states that it is "willing to negotiate" terms, which cannot be done on a sealed bid contract. Finally, the Evans, Lipka proposal notes that its delivery date may change based on factory availability. Therefore, this is not a firm contract and must be rejected.

The proposal of Electric Power Products, Inc. states that its delivery date will be 56 weeks after receipt of an order from the District. This statement will allow the District to calculate the maximum delivery time. Additionally, the proposal includes technical exceptions that must be evaluated by the District.

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290

February 17, 2023

Page 2

Based on the foregoing legal opinion, the proposal of Electric Power Products, Inc. is the only proposal received in response to the District's RFP No. 6024 that may be considered by the Board of Directors for the award of this contract. Alternatively, pursuant to § 70-637(5) of the Nebraska Revised Statutes, the Board may reject all bids and enter into a negotiated contract for this procurement if the Board finds that no responsive bids were received or the bids are in excess of fair market value for the subject matter of the RFP.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner".

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2963582



Moody/Via

**DRAFT**  
**RESOLUTION NO. 6556**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6024**  
**SUBSTATION CONTROL BUILDING AND SWITCHGEAR 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; and

**WHEREAS**, Section 70-637 of the Nebraska Revised Statutes authorizes the District to reject all proposals if no responsive bids are received or the Board of Directors finds that all bids exceed fair market value for the project; ; and

**WHEREAS**, Management recommends rejection of all four proposals for RFP No. 6024 because they are technically non-responsive for the proposed scope of work.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that all proposals received in response to Request for Proposal No. 6024 are rejected and Management of the District is authorized and directed to negotiate and enter into a contract for the scope of work set forth in Request for Proposal No. 6024, Substation Control Building and Switchgear Enclosure, subject to review and approval of the final contract by the District’s General Counsel.





# Board Action

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Award RFP No. 6029 NW Omaha ED Steel Transmission and Substation Structures

### PURPOSE

Board of Directors authorization to award a contract for galvanized steel transmission and substation structures for a new substation to support load growth and reliability in the northern Douglas County area.

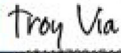
### FACTS

- a. A new substation in northwest Omaha is needed for new load growth and reliability in the area.
- b. Approximately 2.5 miles of 161kV overhead transmission line is required to interconnect that new substation.
- c. Five (5) proposals were received. Three (3) proposals are legally responsive, and one (1) is technically responsive.
- d. Construction of the lines will begin in late December 2023 and conclude by May 2024.

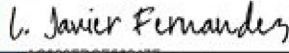
### ACTION

Authorization by the Board to award a contract for RFP No. 6029 NW Omaha ED Steel Transmission and Substation Structures to Arcosa - Meyer Utility Structures for the evaluated amount of Three Million, Six Hundred Ninety-Three Thousand, Eight Hundred Fifty-Four Dollars (\$3,693,854.00).

#### RECOMMENDED:

DocuSigned by:  
  
 Troy R. Via  
 Chief Operating Officer and  
 Vice President – Utility Operations

#### APPROVED FOR BOARD CONSIDERATION:

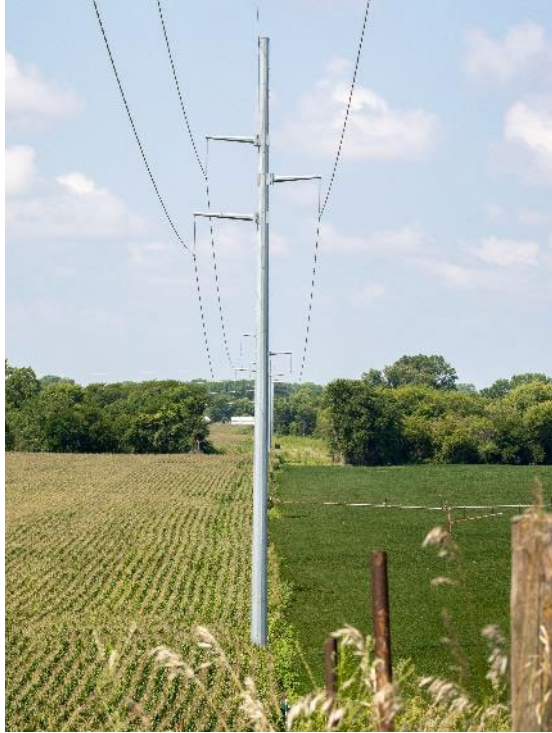
DocuSigned by:  
  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:sjh

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

# 161kV Transmission Structure Example

Delta Tangent Structures (cross country)  
Generally 100' - 130' tall



Vertical Tangent Structures (road side)  
130' tall Average





## MEMORANDUM

Date: March 7, 2023

From: D. D. Buelt

To: T. R. Via

RFP No. 6029  
 “NW Omaha ED Steel Transmission and Substation Structures”  
Analysis of Proposals

### 1.00 GENERAL

RFP No. 6029 was advertised for bid on January 17, 2023.

This contract will procure galvanized steel transmission and substation structures for a new substation to support load growth and reliability in the northern Douglas County area.

Anchor bolts were requested to be delivered by October 13, 2023. Structures were requested to be delivered by December 1, 2023.

One (1) Letters of Clarification (LOC) was issued, it answered a general question about an engineering design choice. No addendums were issued for this RFP.

Proposals were requested and opened at 2:00 p.m., C.S.T., Wednesday, February 15, 2023.

Engineer’s Estimate was \$ 3,396,250.00

Five (5) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Grid Structures	\$ 3,464,812.00	Yes	No
Arcosa - Meyer Utility Structures	\$ 3,693,854.00	Yes	Yes
Trans American Power Products	\$ 4,131,711.00	Yes	No
Klute	\$ 4,302,200.61	No	No
Valmont	N/A*	No	No

\*Valmont did not fill out RFP to be opened and read publicly

To: T.R. Via  
March 7, 2023  
Page 2 of 2

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

The district's legal counsel determined that three (3) of the (5) proposals were legally responsive, subject to technical and economic evaluation:

The proposal from Valmont is deemed materially non-responsive due to not including the price and delivery schedule.

The proposal from Klute is not signed and therefore may not be considered.

The proposal from Grid Structure is legally responsive with a couple of caveats. The proposal specifies a guaranteed delivery date based on the date of the purchase order, which is acceptable. They will also need to acknowledge receipt of Letter of Clarification #1.

The proposal from Arcosa-Meyer Utility Structures submits clarifications to some contract terms and some technical clarifications, these are subject to the District's evaluation of whether or not they are acceptable. They also included revisions to the District's procurement agreement, after review of these changes they have concluded that they do not render the proposal legally non-responsive.

The proposal from Trans American Power Products was deemed legally responsive and does not submit any exceptions to the contract.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposal received from Grid Structures has several technical deficiencies requiring it to be deemed technically non-responsive.

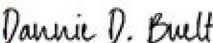
The proposal from Valmont was deemed legally non-responsive due to not conforming to the sealed bid process and was not reviewed from a technical standpoint.

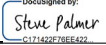

The proposals from Klute and Trans American Power Products will not meet the desired delivery dates and are deemed technically non-responsive.



The proposal from Arcosa - Meyer Utility Structures is 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. 6029 NW Omaha ED Steel Transmission and Substation Structures be awarded to Arcosa - Meyer Utility Structures for the evaluated amount Three Million, Six Hundred Ninety-Three Thousand, Eight Hundred Fifty-Four dollars (\$3,693,854).

DocuSigned by:  
  
Dannie Buelt, P.E.  
Director Engineering  
Utility Operations

<p><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Wednesday, February 15, 2023, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 6029</b>  <b>NW Omaha ED Steel Transmission and Substation Structures</b></p>			<p align="center"> <small>DocuSigned by:</small>                        Steve Palmer  <small>C171422720EE422</small>                      Director                      Supply Chain Management  <hr/> <small>DocuSigned by:</small>                        Jonathan Parker  <small>DF137508964045E</small>                      Compiled by and Certified Correct                 </p>		
<p align="center">Anticipated Award Date                  March 16, 2023</p>				<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>		
<p align="center"><b>ENGINEER'S ESTIMATE</b>                  \$3,396,250.00</p>				<p align="center"> <b>Grid Structures, LLC</b>                      13040 Foulks Lane                      Amite City, LA 70422                 </p>	<p align="center"> <b>Meyer Utility Structures, LLC</b>                      6750 Lenox Center Ct. Suite 400                      Memphis, TN 38115                 </p>	<p align="center"> <b>TAPP, Inc.</b>                      2427 Kelly Ln                      Houston, TX 77066                 </p>
<p align="center"><b>BID ITEM</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><b>1. Price Proposal:</b>                   a. Firm price to furnish F.O.B. shipping point, galvanized steel transmission structures as specified in "Section V – Unit Prices"                  b. Firm price for freight charge for delivery of all galvanized steel transmission structures above F.O.B. to OPPD   <b>2. Completion Guarantee:</b>                  Anchor Bolt Cage Delivery: October 13, 2023                  Structure Delivery: December 1, 2023</p>	<p align="center"> <u>\$3,464,812.00</u>   <u>\$3,464,812.00</u>  <u>Guaranteed Delivery Date</u>                      10 weeks ARO                      24 weeks ARO                 </p>	<p align="center"> <u>\$3,693,854.00</u>   <u>included in structure price</u>  <u>Guaranteed Delivery Date</u>                      As Required                      As Required                 </p>	<p align="center"> <u>\$3,771,311.00</u>   <u>\$260,400.00</u>  <u>Guaranteed Delivery Date</u>                      October 13, 2023                      February 16, 2024                 </p>			

<p><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Wednesday, February 15, 2023, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 6029</b>  <b>NW Omaha ED Steel Transmission and Substation Structures</b></p> <p align="right">Page 2 of 2</p>		<p align="center"> <small>DocuSigned by:</small>                        Steve Palmer  <small>C171420F76EE422</small>  <hr/>                     Director                      Supply Chain Management  <hr/> <small>DocuSigned by:</small>                        Jonathan Parker  <small>D5F3760992042E</small>                      Compiled by and Certified Correct                 </p>	
<p>Anticipated Award Date                  March 16, 2023</p>			<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>	
<p><b>ENGINEER'S ESTIMATE</b>                  \$3,396,250.00</p>			<p align="center">                     Klute, Inc.                      1313 Road G                      York, NE 68467                 </p>	<p align="center">                     Valmont Utility                      28800 Ida Street                      Valley, NE 68064                 </p>
<p align="center"><b>BID ITEM</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><b>1. Price Proposal:</b></p> <p>a. Firm price to furnish F.O.B. shipping point, galvanized steel transmission structures as specified in "Section V – Unit Prices"</p> <p>b. Firm price for freight charge for delivery of all galvanized steel transmission structures above F.O.B. to OPPD</p> <p><b>2. Completion Guarantee:</b>                  Anchor Bolt Cage Delivery: October 13, 2023                  Structure Delivery: December 1, 2023</p>	<p align="center"> <u>\$4,302,200.61</u>   <u>\$62,799.00</u>  <u>Guaranteed Delivery Date</u>  <u>10/13/2023</u>  <u>05/15/2024</u> </p>	<p align="center">                     \$ _____   <u>Included with structures</u>  <u>Guaranteed Delivery Date</u> </p>		



**Stephen M. Bruckner**  
ATTORNEY  
402.978.5225  
sbruckner@fraserstryker.com  
fraserstryker.com

February 17, 2023

Omaha Public Power District  
444 South 17<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 6029 – MW Omaha ED steel transmission and substation structures ("RFP No. 6029")

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to the District's RFP No. 6029 and provide the following legal opinion.

The proposal of Valmont Utility does not include a price or any delivery dates. Therefore, the Valmont proposal is materially non-responsive to the contract documents and cannot be considered for the award of this RFP.

The proposal of Klute, Inc. is not signed and therefore may not be considered for the award of this RFP.

The proposal of Grid Structures, LLC specifies its guaranteed delivery dates in terms of when the District's purchase order is issued. This is acceptable, but the District must calculate the maximum delivery dates based on that submittal. Additionally, if the Grid Structures' proposal is to be considered, the District must obtain a letter from Grid Structures acknowledging receipt of the District's Letter of Clarification No. 1.

The proposal of Arcosa-Meyer Utility Structures submits clarifications to certain contract terms, including the payment terms, and some technical clarifications. These clarifications are subject to the District's evaluation. The Arcosa-Meyer proposal also submits revisions to the District's procurement agreement. We have reviewed the revisions and conclude that they do not render the proposal legally non-responsive to the contract documents. However, the revisions are subject to further economic evaluation in the consideration of the lowest and best responsible bidder for this project.

The proposal of TransAmerican Power Products, Inc. is responsive and does not submit any exceptions to the contract documents.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals of Grid Structures, LLC, TransAmerican Power Products, Inc., and Arcosa-Meyer

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290

February 17, 2023

Page 2

Utility Structures may be considered by the Board of Directors for the award of this contract. The form of performance and payment bond for the successful bidder also must be approved by the Board.

Alternatively, pursuant to Section 70-637(5) of the Nebraska Revised Statutes, the Board may reject all bids and authorize the District to enter into a negotiated if the Board finds that no responsive bids were received or the bids received are in excess of the fair market value for the subject of this RFP.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner".

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2963610





Moody/Via

**DRAFT**  
**RESOLUTION NO. 6557**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6029**  
**NW OMAHA ED STEEL TRANSMISSION AND SUSTATION STRUCTURES**

**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 the proposal of Arcosa – Meyer Utility Structures in the amount of \$3,693,854.00 for the galvanized steel transmission and substation structures for a new substation to support load growth and reliability in the northern Douglas County area pursuant to Request for Proposal No. 6029 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



# Board Action

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Sarpy County Station Unit 3 Generator Circuit Breaker and Disconnect Switch Replacement

### PURPOSE

Issue a contract or contracts to supply and install a new generator breaker and disconnect switch for Sarpy County Station Unit 3.

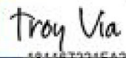
### FACTS

- a. The generator circuit breaker and disconnect switch for Sarpy County Station Unit 3 requires replacement in order to maintain unit reliability.
- b. The District's engineer has certified that the use of the statutory sealed bid process for the replacement equipment, coordination, and integration requirements of the project is impractical and not in the public interest.
- c. The District will negotiate one or more contracts for supply and installation of the equipment.

### ACTION

Approval of the Engineer's Certification and authorization for management to negotiate and enter into a contract or contracts for the supply and installation of a new generator circuit breaker and disconnect switch at Sarpy County Station Unit 3.

### RECOMMENDED:

DocuSigned by:  
  
184467321FA24AE  
Troy R. Via  
Vice President – Utility Operations  
And Chief Operating Officer

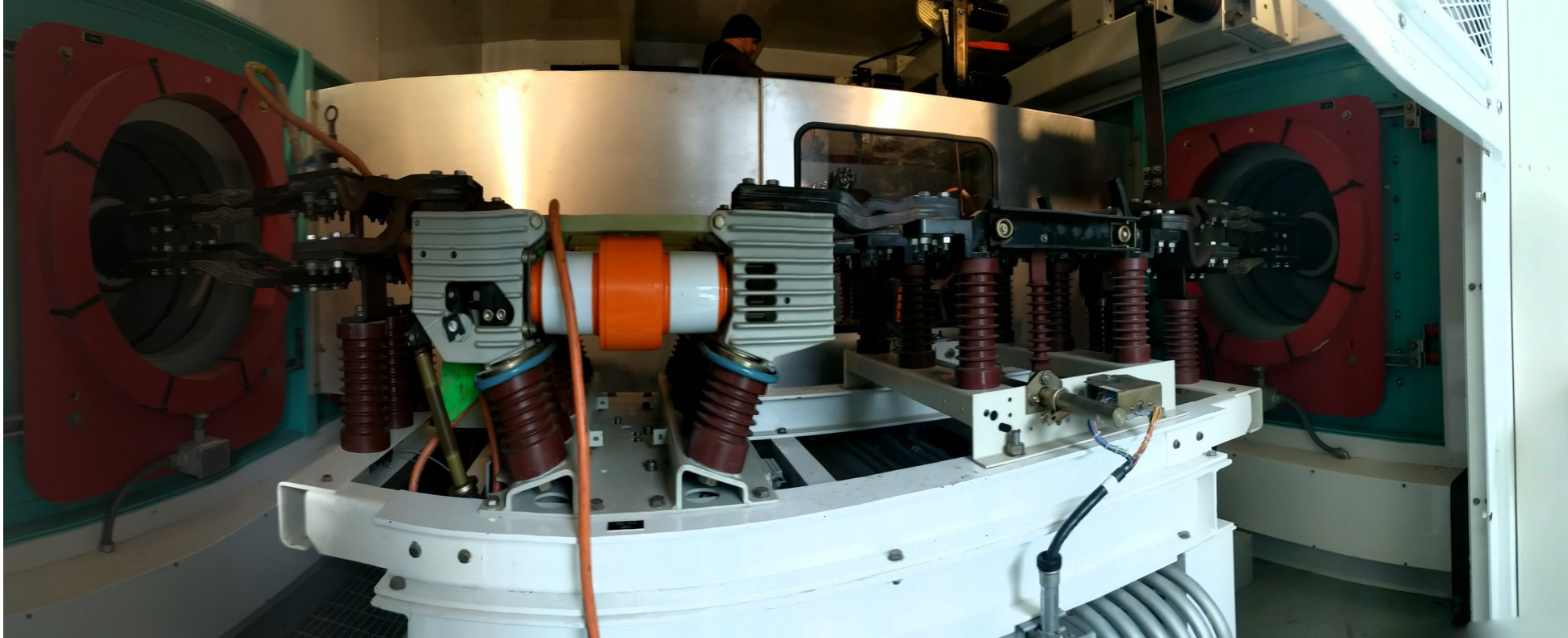
### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
AC391FDCE50247E  
L. Javier Fernandez  
President and Chief Executive Officer

TRV:sae

Attachments: Letter of Recommendation  
Engineer's Certificate  
Legal Opinion  
Resolution

# Sarpy County Station Unit 3 Generator Output Breaker





## MEMORANDUM

**DATE:** February 20, 2023

UO-2023-002

**FROM:** S.A. Eidem

**TO:** T.R. Via

**SUBJECT:** Sarpy County Station Unit 3 Generator Circuit Breaker and Disconnect Switch Replacement

### 1.00 GENERAL

OPPDP intends to enter into one or more contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 (SC3). The existing breaker has failed to operate on several occasions, has become more problematic over time and requires regular maintenance to minimize delayed unit starts. The isolation disconnect switch is currently inoperable due to failed electric motors with no replacements available.

The design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces. Compliance with sealed bidding requirements of the Nebraska Statutes is impractical and not in the best interest of OPPDP or the public. OPPDP intends to negotiate one or more contracts for materials and installation services.

### 2.00 RECOMMENDATION

An Engineer's Certification of the above has been prepared. Approval of the Certification is recommended. We request the Board of Directors to approve the Engineer's Certification and authorize management to negotiate and enter into one or more contracts for the supply and installation of a generator circuit breaker and disconnect switch at Sarpy County Station Unit 3.

S.A. Eidem, P.E.  
Director, Engineering Services  
Utility Operations

## ENGINEER'S CERTIFICATION

The Omaha Public Power District (OPPD) intends to enter into a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 (SC3). The design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces at SC3. For the reasons set forth in this Certification, OPPD Management seeks approval from the Board of Directors to enter into the necessary contract(s) for this project without using the statutory sealed bid process.

The undersigned, a Nebraska professional engineer employed by OPPD, certifies that compliance with the sealed bidding requirements of Nebraska Revised Statutes 70-637 to 70-641 is impractical and not in the public interest for the following reasons:

- The design of the new generator circuit breaker and isolation disconnect switch must be integrated into the existing enclosure size and include all required materials and fabrication regarding the electrical bus connection interfaces.
- A negotiated contract process is necessary to enable detailed discussions between OPPD and potential contractors to optimize equipment specifications, develop solutions for equipment physical size and integration constraints, and establish performance requirements for the installation phase of the project.
- An iterative and integrated negotiated contract process will be the best option for OPPD to develop optimal pricing, schedule and contract terms, and other contract specifications and conditions with acceptable risk mitigation. OPPD prefers one contract with a single contractor, but the negotiations may require more than one contract for the project.

Pursuant to Section 70-637 of the Nebraska Revised Statutes, as amended, the Board of Directors is requested to approve this Engineer's Certification and authorize Management to negotiate a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for SC3 without compliance with the sealed bidding requirements of Sections 70-637 to 70-641 of the Nebraska Revised Statutes.

I, Michael A. Neu (registered Professional Engineer in the State of Nebraska), certify the above to be true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Michael A. Neu, P.E.

2/20/2023  
Date





**Stephen M. Bruckner**  
ATTORNEY  
402.978.5225  
sbruckner@fraserstryker.com  
fraserstryker.com

February 20, 2023

Omaha Public Power District  
444 South 16th Street  
Omaha, NE 68102

RE: Sarpy County Station Unit 3-generator circuit breaker and other electrical equipment

Ladies and Gentlemen:

We have reviewed the Engineer's Certification of Michael A. Neu, P.E., a registered professional engineer in the State of Nebraska employed by the District. Mr. Neu's Certification states that the District intends to enter into a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 ("SC3"). He explains that the design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces at SC3. Mr. Neu further states that a negotiated contract process is necessary to enable detailed discussions between the District and potential contractors to optimize equipment specifications, develop solutions for equipment physical size and integration constraints, and establish performance requirements for the installation phase of the project. For these and other reasons set forth in the Certification, Mr. Neu certifies that the use of sealed bidding for this scope of work would be impractical and not in the public interest.

Section 70-637 of the Nebraska Revised Statutes authorizes the District's Board of Directors, by a two-third vote, to approve an Engineer's Certification when it is impractical or not in the public interest to use sealed bidding, and to authorize the District to enter into a contract to complete the project. The District is required to advertise its intention to enter into any such contract in three (3) newspapers of general circulation within the District's service area, with not less than seven (7) days between issues. The contract cannot be entered into sooner than twenty (20) days after the last advertisement.

It is our opinion that Mr. Neu's Engineer's Certification complies with Section 70-637 and is in a form that is appropriate for approval by the District's Board of Directors. Therefore, the Board of Directors may approve the Engineer's Certification and authorize Management to negotiate and enter into the necessary contract(s) for this SC3 electrical equipment project. We

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290

February 20, 2023

Page 2

recommend that any such contract(s) be subject to review and approval by the District's General Counsel.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner".

Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
2964128



Moody/Via

**DRAFT**  
**RESOLUTION NO. 6558**

**WHEREAS**, the Sarpy County Station Unit 3 (“SC3”) generator circuit breaker and isolation disconnect switch need to be replaced; and

**WHEREAS**, the District’s Engineer has certified that the design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces; and

**WHEREAS**, for these reasons, the District’s Engineer has certified that the use of sealed bidding would be impractical and not in the public interest; and

**WHEREAS**, pursuant to Nebraska Revised Statute Section 70-637 (as amended), and upon approval of the Engineer’s Certification by the Board of Directors, the District may negotiate and enter into a contract or contracts related to such project without sealed bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that:

1. The Engineer’s Certification that the Board waive the sealed bid requirements, in accordance with Nebraska Revised Statutes Sections 70-637 through 70-641, is hereby approved.
2. Management is hereby authorized and directed to negotiate and enter into the necessary contract or contracts to procure materials and services for the Sarpy County Station Unit 3 (“SC3”) generator circuit breaker and isolation disconnect switch project, subject to review and approval of the final contract(s) by the District’s General Counsel.
3. The notice required by Nebraska Revised Statutes Section 70-637 shall be published in the Omaha World Herald, or other similar newspaper of general circulation.





# Near Term Generation Update

March, 2023



# February Recap

- OPPD is experiencing **historic load growth**, ~100 MW per year, up from a typical ~4 MW per year.
- **Power with Purpose assets** provide critical capacity and energy, support reliability and resiliency, and provide generation diversity that meets our demand to 2027.
- OPPD is **planning for generation resources** to serve our growing load beyond Power with Purpose for approximately 2027 to 2032.
- In addition to more energy supply resources, OPPD is constructing **transmission system expansion** and planning future transmission system projects to accommodate near- and long-term needs.
- Resource planning process is **guided by our mission** to provide affordable, reliable and environmentally sensitive energy services, our **strategic directives**, and our **legal and regulatory obligations**. Our energy services **power people, communities and the economy in Eastern Nebraska**.
- It is OPPD's **responsibility** and **obligation** to serve our customers and that is getting more and more difficult for a variety of reasons including local permitting, supply chain and federal policy related to generation interconnection.



# Overview

- In 2022, thanks to stakeholder input, OPPD completed **Pathways to Decarbonization** to identify potential pathways to Net Zero by 2050.
- In the near term, OPPD is experiencing multiple factors, requiring a need to plan to **grow accredited capacity** beyond Power with Purpose. These include:
  - Continued rapid near-term load growth
  - More generation supply is required from an increasing Planning Reserve Margin (PRM)
  - Diminishing surplus of regional generation capacity
  - Significant extension of planning & execution time requiring more action, sooner
- OPPD and E3 are **studying near-term resources needs**, guided by OPPD's mission and long-term goals and building on Pathway findings. Our guidepost are:
  - **Affordable:** Economic, least-cost optimization
  - **Reliable:** Maintain OPPD's high historical levels of reliability
  - **Environmentally Sensitive:** 2050 Net Zero carbon target

# Informing our Direction

Customer, employee and public feedback through workshops, surveys, etc.

Transition to broad communications

2019  
Power with  
Purpose (PwP)

- ◆ 6 workshops
- ◆ 400 attendees
- ◆ 700+ recording views
- ◆ 83.7% satisfaction

*OPPD launches plans to add solar power and natural gas to meet load growth through 2026.*

2019-2021  
Pathways to  
Decarbonization

- ◆ OPPDCommunityConnect
- ◆ Decarbonization Pages
- ◆ 10,500 visits
- ◆ 80 comments & questions

*Study determines it is possible to reliably operate with a mix of renewable, storage, and low-carbon firm resources to achieve net-zero.*

January 2022  
Integrated  
Resource Plan

*Regulatory plan finds that OPPD's forecasted load is fully supported through 2026 with new solar and natural gas resources (PwP).*

June 2022  
North Omaha  
Extension

*PwP delays require OPPD to temporarily extend the capability for coal operations at NOS.*

2023  
Near-term  
planning

*As part of on-going planning, OPPD studies how to meet growing energy needs.*

## GENERATION OUTREACH TIMELINE

●  
2019  
Power with Purpose

●  
2019-2021  
Pathways to  
Decarbonization

●  
2022  
Integrated Resource  
Plan

●  
2022/2023  
North Omaha  
Extension

# Outreach and Engagement to Date

OPPD is committed to engaging customers, the community and other stakeholders around key decisions and providing meaningful ways for them to participate and provide feedback.

- OPPD Community Connect
  - OPPD’s stakeholder engagement platform – follow along the journey
  - Project page dedicated to all projects, including Generation
  - Opportunity to ask questions, take surveys provide feedback
- Listening Sessions
- Master-class deep dive workshops
- 1:1 discussions



### Generation

Our communities are growing, and we're actively planning for their bright futures.

[Read more](#)

# Pathways: Key Findings for Net Zero 2050

1. OPPD can achieve net zero while balancing **affordability** and **reliability**.
2. All scenarios **cease** coal generation and **reduce** use of fossil fuels.
3. Pathways require a **mix** of renewable energy, energy storage, and community-wide energy efficiency.
4. Firm (dispatchable) generation is needed to maintain **resource adequacy**.
5. Resources are **consistent** across a variety of pathways.
6. Achieving Absolute Zero is more **costly** and is dependent on future technology development.
7. Accelerating decarbonization reduces cumulative emissions at a relatively low incremental cost, but poses **implementation** and **integration challenges**.
8. The changing resource mix will pose new **resiliency challenges** that must be evaluated, understood, and mitigated.

# Load Growth Acceleration

*The State of Nebraska and local communities continue to invest in economic growth, and OPPD must be ready to enable that growth.*

- State has dedicated **\$110M** to site development in last two legislative sessions, up from \$2M annually
- **\$430M+** is proposed this legislative session
- The greater Omaha area had **61** new projects last year, totaling \$2.1 billion capital investment
- Nebraska Department of Economic Development has clear **economic development goals**:
  - **Recruit** high-wage, high-tech job creators
  - Encourage **expansion** of existing firms
  - Develop first-rate sites to **attract** projects
  - Promote startups and small business



# Load Growth

- We know the growth over the next 10 years will be **significant** and **demanding** and **of proportions never seen by OPPD before**.
- Bringing on new generation is now taking **6 to 10+ years**, so OPPD must make challenging decisions now.

## Factors driving LOAD GROWTH

- Electrification
- Biotech
- Manufacturing
- Data Centers (Including fintech)
- Food Processing
- Agricultural Processing

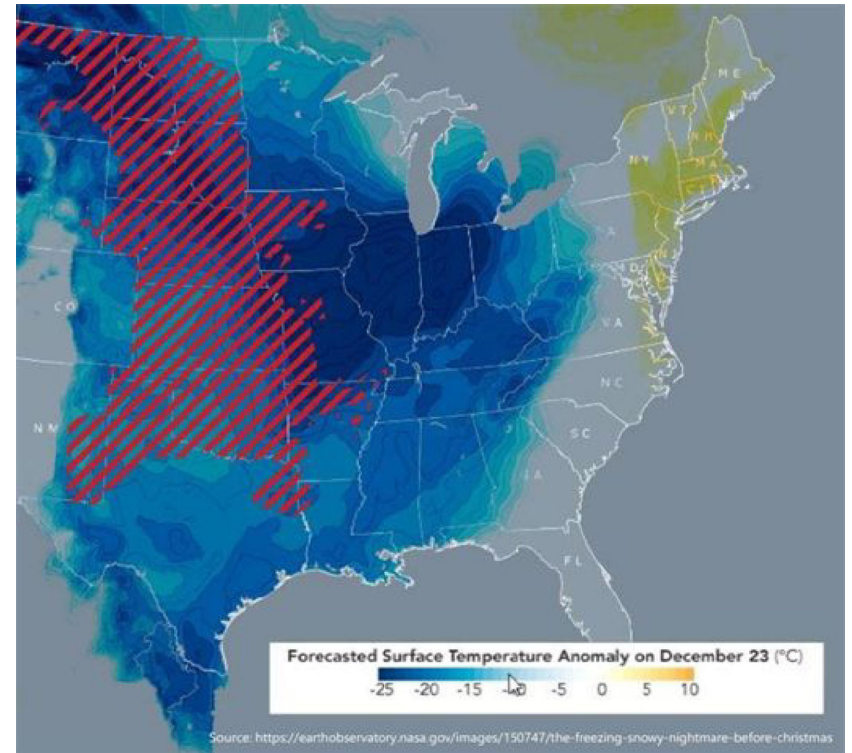
## Factors driving LONGER LEAD TIMES

- Regulated grid interconnection study backlogs
- Solar zoning & Federal regulatory challenges
- Supply and workforce challenges
- Building at multiple sites is a significant incremental challenge to execution teams



# Extreme Recent Events - Winter Storms

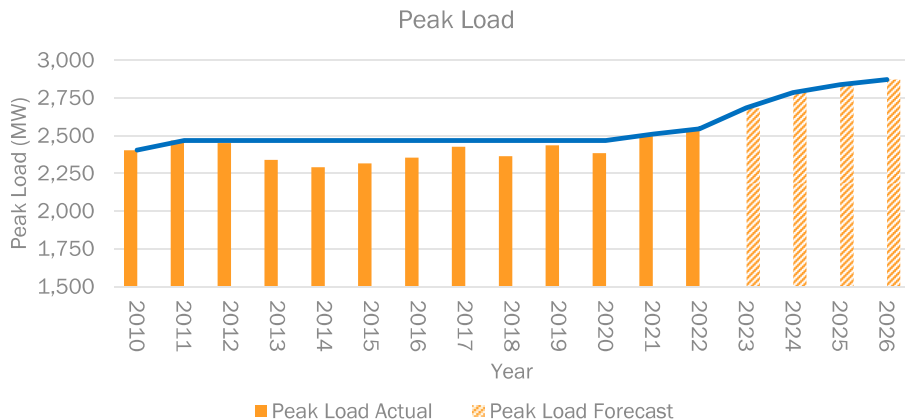
- Resource and operational challenges can contribute to the stress of extreme events, such as winter storms Uri and Elliott.
- During these extreme events, margin for disturbances is low with typically all available resources in service, and resource diversity remains critically important.
- Winter storm Uri was more impactful to OPPD requiring load shedding throughout SPP, and Elliott required load shedding in the Southeast U.S.



Winter Storm Elliott – Dec. 23, 2022

# Recent Events – Temperature & Demand

- Peak loads continue to increase during both summer and winter.
- SPP all-time peaks:
  - Winter peak: Dec. 22, 2022 (47,157 MW)
  - Summer peak: July 5, 2022 (51,090 MW)
- OPPD all-time peaks:
  - Winter peak: Dec. 22, 2022 (2,091 MWs)
  - Summer peak: Aug. 2, 2022 (2,545 MWs)



**OPPD SUMMER PEAK**

Aug. 2, 2022

High: 101 °F  
 Low: 77 °F  
 Average: 89 °F  
 2,545 MWs

**OPPD WINTER PEAK**

Dec. 22, 2022

**Winter Storm Elliott**

High: -2 °F  
 Low: -14 °F  
 Average: -8 °F  
 Wind Chill: -40 °F  
 2,091 MWs

July 29, 2021

**Previous Peaks**

High: 96 °F  
 Low: 79 °F  
 Average: 88 °F  
 2,509 MWs

Feb. 14, 2021

**Winter Storm URI**

High: -1 °F  
 Low: -10 °F  
 Average: -5 °F  
 Wind Chill: -32 °F  
 1,824 MWs

# Accredited Capacity

- While both summer and winter peak loads are increasing, OPPD's winter peak has increased in higher proportional magnitude than the summer peak in recent years.
- OPPD must have sufficient accredited capacity to serve its seasonal peak load plus SPP's Planning Reserve Margin for regional reliability. Without sufficient resources, OPPD won't be able to meet our regulatory requirements.
- Extreme weather highlights that regional reserve margin requirements have been lagging as regions undergo load growth and a changing resource mix.
  - Far reaching affects of winter storms Uri and Elliott are examples
  - System challenges during these events have placed significant attention on winter PRM requirements
- Increases have occurred for SPP's summer reserve margin requirements and are very likely to continue for both winter and summer to strengthen reliability. Even without load growth, this will require more resources.
- More strict regulatory requirements and enforcement are expected, especially for winter periods.

## SUMMER

2022: 12%  
Now: 15%  
2025: 16%\*

\*expected SPP PRM

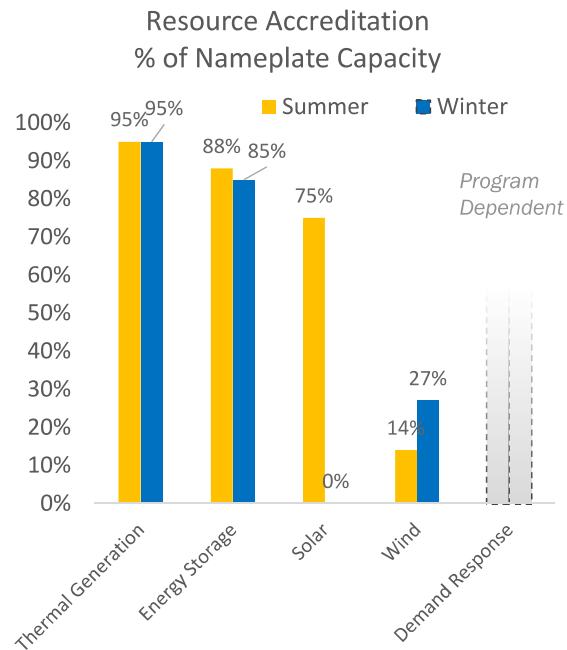
## WINTER

2022: 12%  
Now: 15%  
2026: 20%\*  
2028: 25%\*

MISO requirement is currently 24.7%

# SPP Accreditation Policy

- Seasonal accreditation values are dependent on the specific resource type and accreditation methodology.
- While thermal resources maintain high accreditation in both summer and winter, wind and solar vary and are based on the Effective Load Carrying Capability (ELCC).
- Demand Response accreditation is currently being revised by SPP's Supply Adequacy Working Group.



	Performance- Based Accreditation (PBA)	Effective Load Carrying Capability (ELCC)	Net Peak Load Reducers
STANDARD	Thermal Generation	Wind, solar, and energy storage	Demand response
	Based on historical unit reliability	Captures performance over a wide range of historical weather conditions	Based on the individual utility's ability to reduce load. Reduces the amount of reserve resources required
WHAT'S NEXT	SPP considering more stringent firm fuel requirements for winter accreditation.	Values are not constant and reduce with increasing resource saturations	SPP is expected to change to ELCC-like approach, which would significantly reduce accreditation of these resources

Note: FERC ruling issued March 2, 2023 will likely impact specific policy details of PBA and ELCC.

# Example - Renewable Output vs. System Load

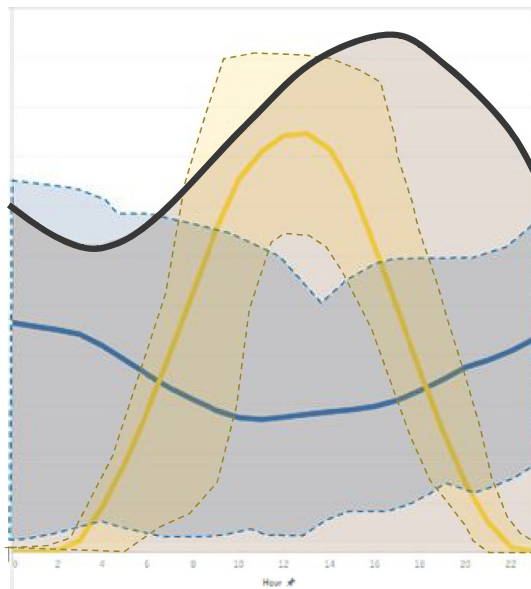
- Renewable resources have varying power output dependent on the time of day and season of year. The below graphics illustrate both the average and range of renewable production during peak summer and winter periods as well as the range of output during these times.
- While both wind and solar do provide system benefits, their reliability contribution is quantified through SPP's Effective Load Carrying Capability (ELCC) studies, which account for variability and periods of low production.

## Summer Season Performance

Solar output is generally good during summer peak days.

Wind produces at lower levels during summer peaks.

■ Solar  
■ Wind  
■ Load



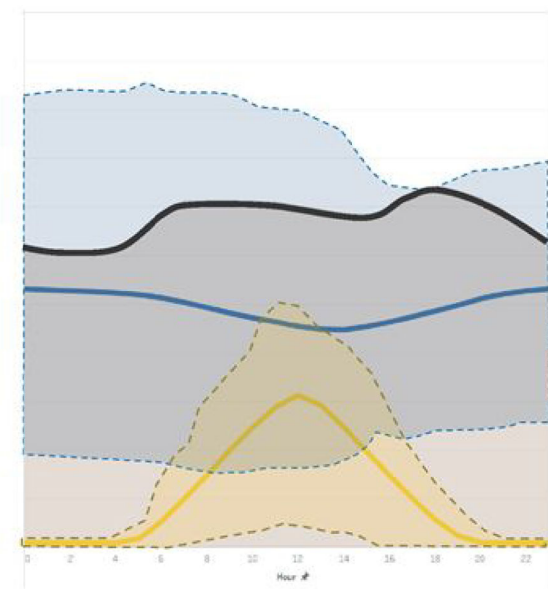
## Winter Season Performance

Solar has low output during winter peak periods.

Wind has higher output, but has high variability.

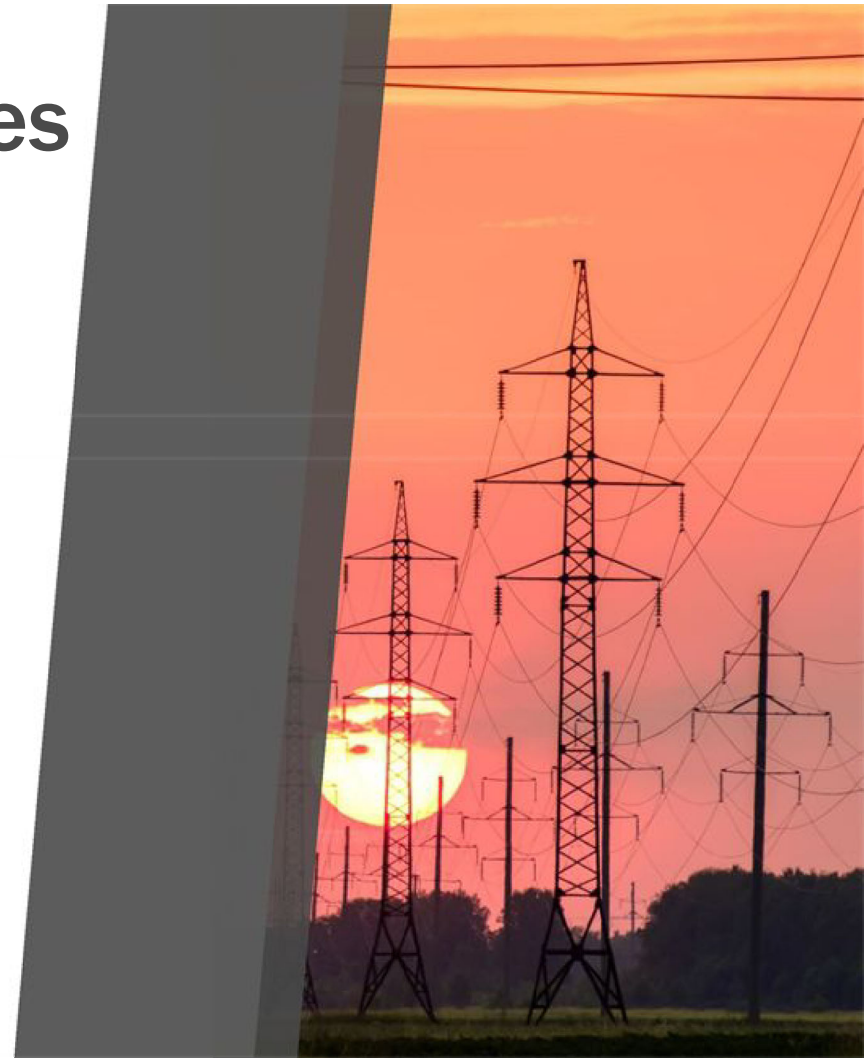
The system must be designed for periods when both wind and solar are producing at low levels.

■ Solar  
■ Wind  
■ Load



# Likely Next Steps & Outcomes

- Continue the ongoing conversation on load growth in the community.
- Generation resource recommendations are expected to be a combination of renewables and continued expansion of dispatchable natural gas.
- Supporting infrastructure for those resources is expected to be required.
- These solutions are consistent with our 2050 goals.
- More detailed information in April and the coming months.



## GENERATION COMMUNICATIONS TIMELINE

December 2022  
State of the Utility

Q1 2023  
Power with Purpose  
North Omaha Station  
Solar updates  
New resources

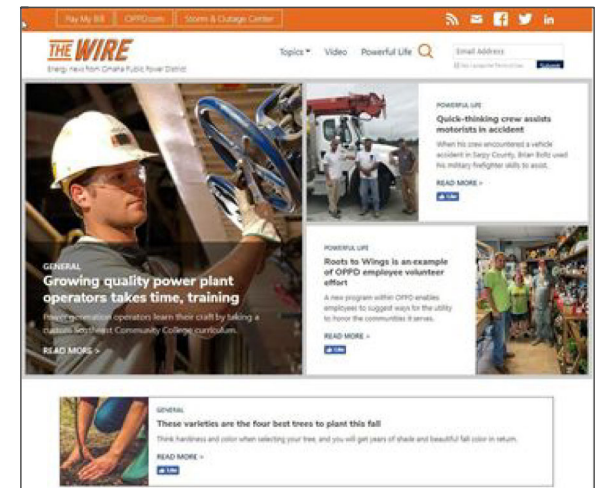
Q2 2023  
Recommendation

# Education Going Forward

OPPD continues to educate broader audience about our generation journey with focus on new transmission and generation to ensure understanding of situation / recommended solutions.

Use OPPD's broad communication channels to build understanding about load growth, as well as trust in our near- and long-term generation strategies as they evolve and continue. Examples:

- OPPDtheWire content
- Social media
- News releases
- Outlets bill insert newsletter
- OPPDCommunityConnect.com
- Community events, i.e. Earth Day
- Community relationships
- Customer conversations





## Pre-Committee Agenda

PUBLIC INFORMATION PRE-COMMITTEE MEETING  
WEBEX VIDEOCONFERENCE  
March 7, 2023 4:00 – 5:00 P.M.

1. Safety Briefing (McAreavey – 2 min)
  - a. Objective: Promote awareness of current safety focus.
2. Charter Review and Questions (15 min)
  - a. Objective: Discuss Public Information Committee Charter
3. North Omaha Engagement (Olson – 30 min)
  - a. Objective: Provide brief update for the three focused themes
4. Legislative and Regulatory Update (Olson – 10 min)
  - a. Objective: Provide brief update on federal and state legislative and regulatory activities
5. Board Work Plan (Focht – 2 min)
  - a. Objective: Discuss Public Information Committee items on the Board work plan.
6. Summary of Committee Direction (1 min)
  - a. Objective: Executive Leadership Team liaison(s) to summarize direction provided by the committee.





# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Legislative and Regulatory Update

### PURPOSE

To provide an update on 2023 state and federal legislative matters, local government affairs and regulatory matters.

### FACTS

- a. Nebraska's 108<sup>th</sup> Legislature 1<sup>st</sup> session began on January 4, 2023 and ends on June 9, 2023.
- b. The 118<sup>th</sup> Congress began on January 3, 2023 and is expected to end January 3, 2025.

### ACTION

Reporting item

#### RECOMMENDED:

DocuSigned by:

*Lisa A. Olson*

Lisa A. Olson

Vice President – Public Affairs

#### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*L. Javier Fernandez*

L. Javier Fernandez

President and Chief Executive Officer

Attachment: Local, State and Federal Update



# Government Affairs Update March 14, 2023

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



# 2023 Nebraska Legislative Calendar

Nebraska's 108<sup>th</sup> Legislature, First Session

- 90-day session
- January 4– First day of session
- January 18 – Last day of bill introduction
- January 23 – Public hearings began
- January 30 – Morning and afternoon public hearings
- February 13 – Floor debate begins
- March 9 – Last day to request speaker priority bill
- March 14 – Last day for designation of committee and speaker priority
- March 15 – Announcement of speaker priority bills
- March 24 – Last day of public hearings
- March 28 – Full day of floor debate
- April 11 – June 2 – Possible late night sessions
- June 9<sup>th</sup> – Sine Die

# 2023 OPPD Legislative Bills

These issues have been brought to the forefront to have OPPD take a leading role to champion. We view this process as a 2-year journey. Three senators will introduced these bills on OPPD's behalf.

- Broadband LB61 (Brandt)– Seek to repeal the dark fiber statutes to help expand broadband coverage across the state. This could also incorporate a repeal of the challenge of safe harbor rates under LB992. Hearing held February 21.
- Critical/essential utility workers LB267 (Brewer) - seek to have defined as emergency personnel in declared emergencies in order to protect our communities while ensuring continuity of functions critical to public health and safety. Hearing was held and bill was advanced out of committee and Placed on General File on February 16.
- Weatherization funding LB237 (Wayne)– seek state funding for weatherization efforts to upgrade more homes in order to lower utility bills permanently. Hearing scheduled for March 13.

# Support - Recommendation

Bill & Current Status	Summary
LB 169 Hunt	Prohibit discrimination based upon sexual orientation and gender identity
<i>Support</i>	1/11/23 Referred to Judiciary Committee, 3/1/23 Hearing held
LB 560 Blood	State intent to seek federal funds under the Inflation Reduction Act of 2022
<i>Support</i>	1/11/23 Referred to Appropriations Committee, 3/6/23 Hearing held
LB 568 Bostelman	Adopt the Nuclear and Hydrogen Development Act
<i>Support</i>	1/19/23 Referred to Natural Resources Committee, 2/16/23 Hearing held
LB 616 McDonnell	Provide for awards under the Imagine Nebraska Act relating to the federal Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act
<i>Support</i>	1/19/23 Referred to Revenue Committee, 3/2/23 Hearing held
LB 617 McDonnell	Create the Economic Development Cash Fund to award a grant relating to the federal Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act
<i>Support</i>	1/19/23 Referred to Banking, Commerce and Insurance Committee, 1/31/23 Hearing held, 3/9/23 Placed on General File

# Support - Recommendation

Bill & Current Status	Summary
LB 670 Hunt	Prohibit discrimination under the Nebraska Fair Employment Practice Act on the basis of gender identity or sexual orientation and prohibit discrimination by employers regardless of size
<i>Support</i>	1/20/23 Referred to Business and Labor Committee, 2/13/23 Hearing held
LB 787 Wayne	Adopt the STEEM Development Act
<i>Support</i>	1/20/23 Referred to Education Committee, 1/31/23 Hearing held, 2/28/23 Placed on General File
LR 21 Brewer	Provide for a special committee of the Legislature to be known as the Small Modular Nuclear Reactor Study Committee
<i>Support</i>	1/17/23 Referred to Executive Board, 2/24/23 Hearing held

# Oppose - Recommendation

Bill & Current Status	Summary
LB 7 Blood	Provide a statute of limitations for exposure to hazardous or toxic chemicals
<i>Oppose</i>	1/9/23 Referred to Judiciary Committee, 1/25/23 Hearing held
LB 25 Wayne	Authorize punitive damages as prescribed and provide for distribution
<i>Oppose</i>	1/9/23 Referred to Judiciary Committee, 1/25/23 Hearing held, 2/28/23 Placed on General File
LB 122 Bostelman	Change provisions relating to the One-Call Notification System Act
<i>Oppose</i>	Amendment in development, 1/10/23 Referred to Transportation and Telecommunications Committee, 1/31/23 Hearing held
LB 255 Brewer	Change eminent domain and renewable energy generation provisions relating to certain power suppliers
<i>Oppose</i>	1/12/23 Referred to Natural Resources Committee, 2/22/23 Hearing held
LB 304 Linehan	Require political subdivisions to disclose membership dues and lobbying fees
<i>Oppose</i>	1/13/23 Referred to Government, Military and Veterans Affairs Committee, 2/9/23 Hearing held

# Oppose - Recommendation

Bill & Current Status	Summary
LB 394 Erdman	Change provisions relating to the determination of damages as a result of eminent domain
<i>Oppose</i>	1/17/23 Referred to Judiciary Committee, 2/23/23 Hearing held
LB 399 Brewer	Change provisions relating to privately developed renewable energy generation facilities and other electric generation facilities
<i>Oppose</i>	1/17/23 Referred to Natural Resources Committee, 2/22/23 Hearing held
LB 637 Albrecht	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act
<i>Oppose</i>	1/20/23 Referred to Government, Military and Veterans Affairs Committee, 2/24/23 Hearing held



# Review & Awareness

Bill & Current Status	Summary
LB 120 Bostelman	Eliminate obsolete provisions relating to a Nebraska Power Review Board study
<i>Monitor</i>	1/10/23 Referred to Natural Resources Committee, 2/16/23 Hearing held
LB 209 Bostar	Provide tax exemptions relating to data centers
<i>Monitor</i>	1/12/23 Referred to Revenue Committee, 3/1/23 Hearing held
LB 450 Brewer	Prohibit land disposal of wind turbine blades and their component parts
<i>Monitor</i>	From last session, monitor/neutral recommendation, 1/18/23 Referred to Natural Resources Committee, 2/8/23 Hearing held, 3/6/23 Placed on General File
LB 505 Bostar	Provide for motor vehicle registration of plug-in hybrid electric vehicles, impose an excise tax on electric energy used at commercial electric vehicle charging stations, provide for regulation of commercial electric vehicle charging stations, and provide a sales tax exemption for certain electric energy
<i>Monitor</i>	OPPD, prefer as drafted/introduced. Amendments in development, 1/19/23 Referred to Revenue Committee, 3/8/23 Hearing Held
LB 541 Lowe	Provide for nomination and election of public power district and public power and irrigation district directors on the partisan ballot
<i>Monitor</i>	1/19/23 Referred to Government, Military and Veterans Affairs Committee, 3/15/23 Hearing scheduled
LB 565 Bostelman	Provide a grant program related to hydrogen hub designations
<i>Monitor</i>	1/19/23 Referred to Natural Resources Committee, 2/1/23 hearing held, 3/3/23 Committee Priority, 3/3/23 Natural Resources priority bill

# Review & Awareness

Bill & Current Status	Summary
LB 566 Bostelman	Require a study and report by the Natural Resources Committee of the Legislature regarding intermittent renewable energy generation
<i>Monitor</i>	1/19/23 Referred to Executive Board, 2/24/23 Hearing held
LB 567 Bostelman	Change provisions relating to public power and irrigation districts and electric suppliers
<i>Monitor</i>	1/19/23 Referred to Natural Resources Committee, 2/2/23 Hearing held
LB 569 Bostelman	Prohibit financial interests by certain county officers and family members in electric generation facilities
<i>Monitor</i>	1/19/23 Referred to Government, Military and Veterans Affairs Committee, 2/15/23 Hearing held
LB 621 McDonnell	Change provisions relating to the Site and Building Development Act
<i>Monitor</i>	1/19/23 Referred to Banking, Commerce and Insurance Committee, 1/30/23 Hearing held
LB 636 Albrecht	Prohibit political subdivisions from restricting certain energy services
<i>Monitor</i>	1/20/23 Referred to Natural Resources Committee, 2/8/23 Hearing held, 3/6/23 Placed on General File
LB 644 McDonnell	Change provisions relating to the use of the Site and Building Development Fund
<i>Support</i>	\$80M, 1/20/23 Referred to Banking, Commerce and Insurance Committee, 1/30/23 Hearing held, 3/9/23 Placed on General File

# Review & Awareness

Bill & Current Status	Summary
LB 650 McDonnell	Allow certain cybersecurity records to be withheld from the public
<i>Monitor</i>	1/20/23 Referred to Government, Military and Veterans Affairs Committee, 3/2/23 Hearing held, 3/7/23 Placed on General File
LB 651 McDonnell	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions
<i>Monitor</i>	1/20/23 Referred to Appropriations Committee, 3/16/23 Hearing scheduled
LB 733 Bostar	Adopt the Broadband Pole Placement and Undergrounding Fund Act
<i>Monitor</i>	1/20/23 Referred to Transportation and Telecommunications Committee, 2/21/23 Hearing held
LB 734 Bostar	Provide an enhanced penalty for damage to certain infrastructure facilities resulting in serious bodily injury or death
<i>Monitor</i>	1/20/23 Referred to Judiciary Committee, 3/8/23 Hearing held
LB 768 DeKay	Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund
<i>Monitor</i>	1/20/23 Referred to Appropriations Committee, 3/14/23 Hearing scheduled, 3/9/23 DeKay priority bill
LB 776 Bostar	Provide for nomination and election of candidates on the nonpartisan ballot
<i>Monitor</i>	1/20/23 Referred to Government, Military and Veterans Affairs Committee, 3/2/23 Hearing held



# Local Update



# Cass County Solar Update

- The Cass County Commissioners will hold a special meeting
  - March 14, 6pm, Cass County Fairgrounds
  - Public hearing will allow testifiers 3 minutes each to provide testimony on comprehensive amendments to regulations
  - Most of the hearing will focus on solar setbacks in Ag and Trans Ag zoning districts
  - OPPD will attend. VP Underwood will provide support testimony for reasonable countywide regulations.

# Platteview Solar Update

## Saunders County

- On March 14, the AES, Blue Ridge and OPPD construction team leads will appear before the Saunders County Supervisors for formal introductions.
- Company contracting requests continue to come in to AES from the business fair held on February 22 in Yutan.

# OPPD Service Territory Visits Since February 7

- Since February 7:
- Pawnee County Commissioners
- Sarpy County Commissioners
- Springfield City Council
- Cass County Commissioners
- Saunders County Supervisors
- Johnson County Commissioners
- City of Valley
- Various Commissioners & Planners at Nebraska Planning Zoning Association Annual Conference
- Upcoming Visits:
- Valley Waterloo Business Association Annual Meeting, March 13
- Colfax County Commissioners, March 14
- Village of North Bend, March 14
- Cass County Commissioners, March 14
- Saunders County Supervisors, March 14 (Construction team introductions)
- Syracuse, March 20
- Bennet, March 20 (Arbor Line Issues)



# Public Officials' Orientation to OPPD

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- First annual public officials' orientation to OPPD Webex presentation (live & recorded) on March 15
- Will cover:
  - When to contact OPPD
  - Community services available to public officials
  - Everbridge for public officials
  - Monthly government affairs newsletter
- In-jurisdiction visits





# Federal Update



# Federal update

- OPPD attended APPA's Legislative Rally February 26<sup>th</sup> – March 1<sup>st</sup>.
  - IRA implementation, permitting reform, 2023 Farm Bill, benefits of public power, and supply chain issues in regards to transformer availability were top issues discussed during the rally and directly with Nebraska's Federal delegation.
  - Government Affairs team met with each member of the Nebraska Federal delegation, along with other Congressmen, APPA staff, and other public power utility members to discuss challenges and opportunities facing public power this year.



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

North Omaha Engagement Plan Update

### PURPOSE

To provide an update on the North Omaha Station outreach and listening phase per board resolution 6518.

### ACTION

Reporting item

#### RECOMMENDED:

DocuSigned by:

*Lisa A. Olson*

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Lisa A. Olson

Vice President – Public Affairs

#### APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

*L. Javier Fernandez*

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L. Javier Fernandez

President and Chief Executive Officer

Attachment: North Omaha Station Outreach and Engagement



# NOS Outreach & Engagement

*March 2023 Update*

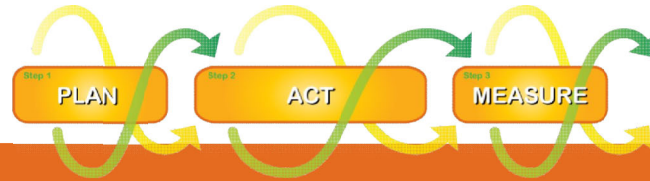


# Objective

Per the edited and approved Resolution 6518, OPPD's Board of Directors cited that OPPD's continued outreach should ...

*“Engage with local educational, public health, and community-led organizations in carrying out the process that includes engaging the North Omaha community in understanding the benefits and developing action plans to reduce overall impacts related to ongoing operations at North Omaha Station for residents.”*

# Phases



## Phase I (pre-August vote)

Inform and communicate local, regional and national challenges and changes to the electrical system landscape.

Various, internal communications, external 1:1s, videos, industry articles, Speakers Bureau, website education, FAQs, etc.

## Phase II (Aug-Feb)

Engage with, consult and listen to local educational, public health, and community-led organizations.

Listening tour, data collection, employee community connections and retiree outreach, LB1024 hearings, NOS plant tour and community leader conversations.

## Phase III (Ongoing)

Output of listening phase – plan to be developed based on feedback.

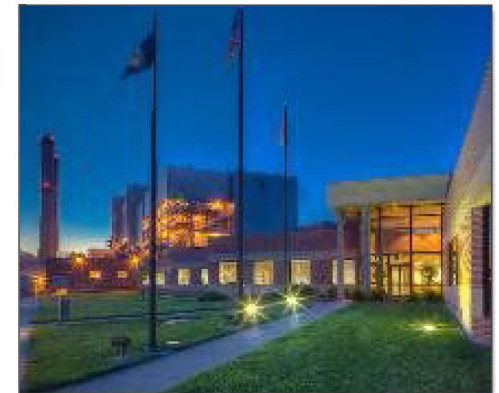
Likely to include continued engagement with LB1024 implementation and the North O business park, product development & marketing engagement, community conversation and events.

# Broader Engagement

- January 6 Empowerment Network – Community Leaders
- January 13 Sierra Club Meeting
- January 14 Empowerment Network – Community Meeting
- January 27 Citizens Climate Lobby (CCL)
- January 28 State of North Omaha Meeting
- February 2 Miller Park Minne Lusa Neighborhood Association Meeting
- February 7 North Omaha Ad Hoc Committee Meeting
- February 18 NAACP Omaha Chapter Meeting
- February 21 OPPD Community Conversation
- February 27 North Omaha Commercial Club

## Research and Feedback

- Community Conversation feedback (Feb. 21)
- North Omaha Survey (closed Feb. 27; report March 3)
- OPPDCommunityConnect feedback (closed Feb. 28)



## North Omaha Station Extension

In August 2022, OPPD's Board voted to extend current energy asset practices at North Omaha Station.

# What We Heard

- Community Conversation breakout sessions
- Research conducted with MSR Group
- Feedback from broader outreach





# February 21 Community Conversation

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## Meeting summary

- Florence City Hall
- ~40 public attendees. Included North Omaha residents and a handful of interested individuals outside the area
- 30 OPPD table facilitators and guides
- Exit survey completed by 23 attendees
- Opening remarks by Director Eric Williams
- OPPD growth, commitment and North Omaha Station information shared by President & CEO Javier Fernandez and Vice President Brad Underwood
- Wendy Goldberg, Executive Director Tri-Faith Initiative, led facilitated conversations

## Initial feedback

- Satisfaction with format
- Interest in similar events, with broad scope of employees participating

## Lessons learned

- Be clear on direct ask for help in spreading word of event
- Brainstorm virtual options with event of this nature
- Broader marketing of OPPD's active speakers bureau needed

# OPPD Community Conversation: Breakout Summaries

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## When you think about the prosperity and wellbeing of this community (access, education, etc.), what matters most?

### **Equity was a common theme.**

Participants viewed the community as underserved and as having been so for some time. Several perceived causes exist, such as racism and lack of political power (e.g., power plants are where they are because utility took advantage of underprivileged communities who couldn't fight it).

### **Participants wanted North Omaha to be heard and given a voice.**

Participants commented that developers and companies do the talking and are not listening to their needs. They also commented that North Omaha does not have political power like other parts of Omaha.

### **Participants also wanted to see more good-paying jobs and training in North Omaha.**

Participants commented that many entities are moving west. They believe education needs to be drastically improved, specifically in North Omaha. Our students are purely meeting state standards. Once they get to middle school, they get lost in the system, making it more challenging to succeed.

# OPPD Community Conversation: Breakout Summaries

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## What do you expect from your electric utility?

### **Participants felt OPPD must stick by its mission statement.**

They wanted OPPD to provide affordable, reliable and environmentally sensitive energy services to its customers. Participants noted that OPPD could use its “bigger voice” to represent all of its customers, particularly the lower income and elderly ratepayers who they perceive do not have a voice.

### **Participants wanted more community education on energy-saving opportunities and available grant funds.**

Participants commented that OPPD should continue to use its voice to bring more economic growth to North Omaha.

### **Participants commented OPPD should be the source of transparent information about North Omaha Station.**

Some commented they would like OPPD to explain how North Omaha’s air quality “got to the point that it is,” implying a perception that air quality is poor or that information is not readily available.

# OPPD Community Conversation: Breakout Summaries

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## How can we best reach and/or communicate with you?

### **Participants wanted OPPD to use all the channels it owns or can access.**

This includes The Wire, Outlets, social media, emails, online forums, Omaha World-Herald, radio, etc.

### **Participants also commented that OPPD should leverage partnerships.**

Examples included partnering with the Empowerment Network and other neighborhood associates and having partnerships/champions with teams in the community. They also mentioned using community leadership to get information out to constituents through additional channels beyond our community listening activities.

### **Participants also suggested more OPPD-led community events and engagements.**

Ideas included more open houses, and organizing with the Community Calendar when deciding on open house dates; engaging the community through youth and family activities; and planning events to engage youth in developing solutions for the community.

# Community & North Omaha Station Perception Study: Methodology

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## STUDY OBJECTIVE

Explore OPPD customer sentiment around community needs and energy generation.

This included identifying what community needs customers prioritize as most important in terms of community well-being, as well as identifying what prioritized community well-being needs can be positively affected by OPPD.

## SURVEY INSTRUMENT

An online questionnaire was co-developed by OPPD and The MSR Group.

## SAMPLE PLAN

Samples of OPPD's residential customers were randomly drawn and mutually exclusive.

Sample 1 included a randomized selection of 50,000 OPPD residential customers across OPPD's service territory, and Sample 2 was a geo-targeted oversample of 5,000 residential customers in North Omaha area zip codes 68104, 68111, 68112, 68131, 68134, and 68152.

## DATA COLLECTION

An initial email and one reminder email was sent to the 55,000 total customers.

Fieldwork was completed February 21 – February 28, 2023.

Completed surveys:

- Sample 1, OPPD Service Territory, n=862
- Sample 2, North Omaha area oversample, n=88

# Executive Summary from MSR Group

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- Though North Omaha oversample customers are less satisfied with OPPD overall than OPPD customers in general, over 70% still give high ratings.
- Trust remains high for both groups (North Omaha oversample and OPPD Service Area), with about 75% giving high trust scores.
- Overall relationship with the community is also high for both groups with 75% giving positive scores.
- Of those that are aware of OPPD's community engagement, the vast majority rate the involvement positively.
- There is strong expectation that OPPD should be involved with issues around electricity production, power affordability, and the environmental impacts associated with production.
- Both groups do not see the need for OPPD to be involved with issues outside of OPPD's mission (e.g. police and fire services, housing, education, and medical care).
- Only a third of customers in both groups reported hearing anything related to OPPD's North Omaha Station power plant; however, those customers in the North Omaha oversample who had heard about the topic felt slightly less positive about OPPD as a result compared to OPPD's customers in general.

# Themes

## Community Development

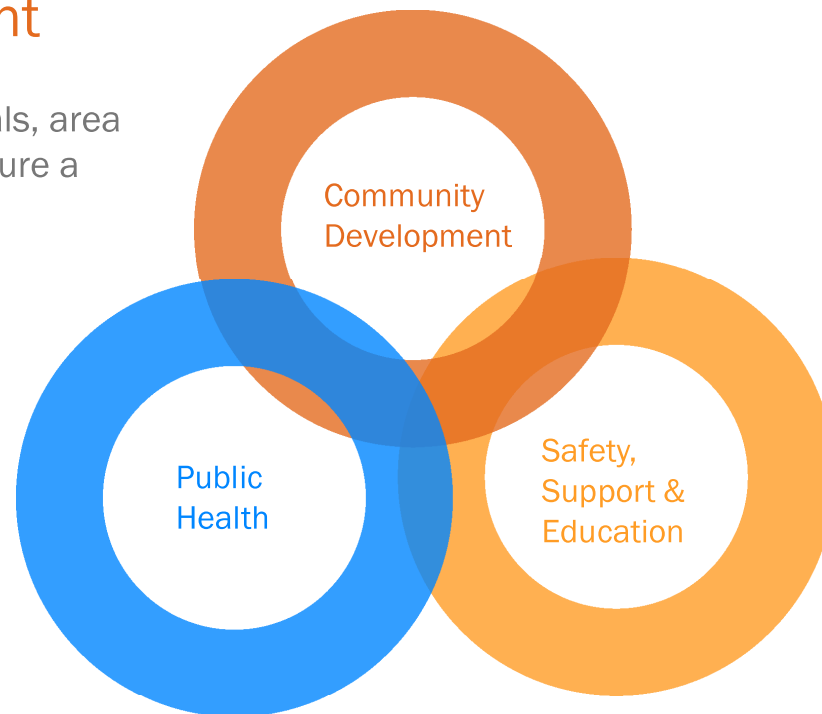
OPPD Role: Partner

Work side-by-side with elected officials, area organizations and businesses to ensure a thriving community.

## Public Health

OPPD Role: Supporter

Per Resolution, understand and support public health programs and community needs.



## Safety, Support & Education

OPPD Role: Collaborator, Connector, Owner/Partner  
Listen, learn and launch events, education and programs that are unique to the communities we serve.

# Opportunities



## Communication

- Develop communication timeline and cadence for NOS updates
- Conduct Community Conversations across 13 counties
- Promote existing communication channels using more targeted channels (i.e. Omaha Star, radio)
- Expansion of communications in multiple languages

## Economic Development

- Support implementation of LB1024
- Lead Urban Core
- Assist with Business Park planning
- Connect & promote small business planning tools

## Outreach

- Assist with connections to other bike trails and eBike stations
- Coordinate neighborhood clean-up events
- Arrange volunteer orgs and neighborhood associations with tree plantings
- Coordinate educational presentations via SB
- Collaboration with community resources (basic needs)



# Opportunities



## Customer Service

- Outreach & communication efforts to increase awareness of assistance programs (EAP, LIHEAP, CAP, EEAP)
- More energy efficiency and weatherization programming
- Market Greener Together Program

## Policy and Grants

- Inflation Reduction Act (including Energy Efficiency incentives and tax credits)
- Infrastructure Investment and Jobs Act
- Grant education page (similar to COVID-19 page)
- LB560 support (seeking IRA funds)

## Environmental

- Coordinate with local agencies on air monitoring plan
- Direct to local agencies for existing air quality alerts
- Advocate for North Omaha infrastructure through advisement of the city's Climate Action Plan
- Review availability of emissions data on oppd.com

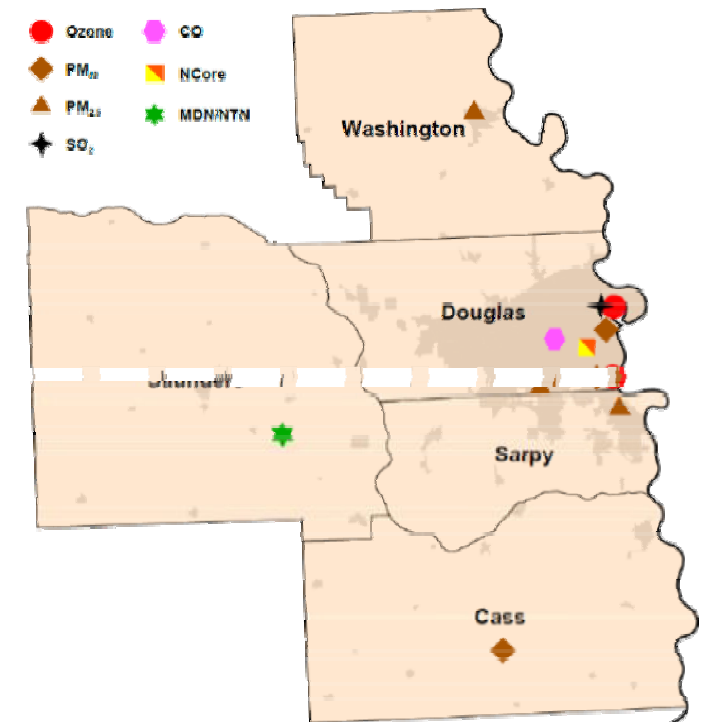
# Ambient Air Quality

## Perception - what we heard:

- Great interest in ambient air quality.
- Misunderstanding that ambient air quality is either not measured or how it is measured.
- Request for ambient air quality monitoring in the North Omaha community.

## How we can help:

- Ambient air quality and plant regulatory limits are different concepts.
- Continuous emission monitoring system (CEMS), installed on plant stacks for NOx, SO2, and CO2, help ensure the station remains within all regulatory limits.
- NOS currently holds Low-Emitter Status for PM and Mercury under the MATS standards.
- The ambient air quality monitoring network in the Omaha area is operated by NDEE and the Douglas County Health Department.
- Ambient monitoring done at the plant fence line from 2017-2020 provided “evidence that there is not an air quality problem around the North Omaha facility.” (2021 EPA Summary of NE SO2 NAAQS).



**NCore**  
4102 Woolworth Avenue

**Ozone**  
Omaha, 4102 Woolworth Avenue (NCore)  
Omaha, 1618 Whitmore Street  
Omaha, 2411 O Street (currently closed)

**Carbon Monoxide**  
Omaha, 4102 Woolworth Avenue (NCore)  
Omaha, 7747 Dodge Street

**Sulfur Dioxide (SO<sub>2</sub>)**  
Omaha, 4102 Woolworth Avenue (NCore)  
Omaha, 1618 Whitmore Street

**PM<sub>10</sub>**  
Omaha, 19<sup>th</sup> & Burt Streets  
Omaha, 2411 O Street (currently closed)  
Omaha, 4102 Woolworth Avenue (NCore)  
Weeping Water, 102 P Street

**PM<sub>2.5</sub>**  
Omaha, 4102 Woolworth Avenue (NCore)  
Omaha, 6225 Berry Street  
Bellevue, 2812 Coffey Avenue  
Blair, 2242 Wright Street

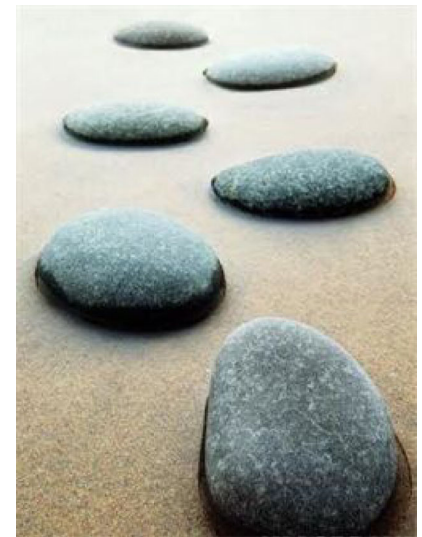
**National Atmospheric Deposition Program**  
Mead, Saunders County: MDN (Mercury Deposition Network),  
NTN (National Trends Network)

# Next Steps

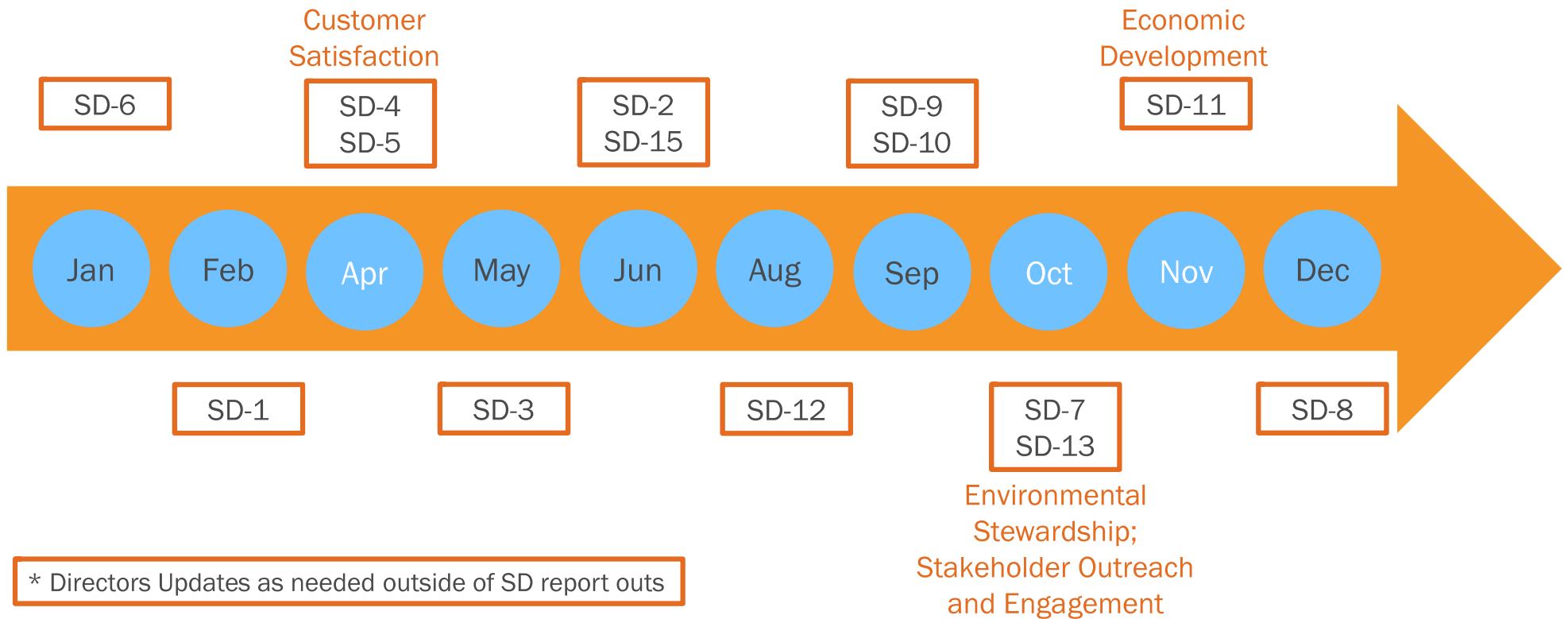
Work will move to respective areas and will be reported on in upcoming SD monitoring reports.

Plan to operationalize across our service territory.

Ongoing communication.



# Status Report Planning



# Appendix

## **1. When you think about the prosperity and wellbeing of this community (access, education, etc.) what matters most?**

Our community needs access to basic necessity. Affordable food, clean affordable water, affordable electricity (clean) and education for our young people. Basic necessities in an affordable manner, not everyone has that.

All arrows point to racism (in the form of environmentalism). North Omaha residents are recipients of benign neglect, things are happening without their knowledge/consent.

North Omaha suffers because of a lack of opportunities. We lack access to health care and education. North Omaha does not have political power like other parts of the city of Omaha. We have empty lots that contain trash and debris. We had a bowling alley, and now it's a storage facility, barber shops closing, and many restaurants. Prosperity feels backward; if you are going to reverse this of what put north Omaha at this disadvantage, you'll have to put resources in there disproportionately.

Good health, Provide inhalers for asthma to the North Omaha residents. We have five of the poorest zip codes in our community. George Floyd incident put racism in its most proper form by continuing to burn coal in the city's poorest section. Hard to justify burning coal in a low-income area when we have high-income areas that can handle the coal issues. North Omaha is underserved due to public health and lead sulfur dioxide and we can't have prosperity without proper healthcare. Florence and the surrounding area have been underserved; we need to discuss toxins in the air and their effect on the community. We need to have an increased amount of monitors daily to track emissions in the air so OPPD can make real-time adjustments based on emissions in the air. Provide regular updates and education on toxins; these community meetings must be scheduled regularly to update the community and have OPPD explain what is happening with the air.

Our community needs access to basic necessities: affordable food, clean water, affordable electricity (clean), and education for our young people. It's a necessary commodity that people should have access to. People have to decide whether to buy groceries or pay for electricity

Residents of North Omaha want to know they are being heard. More big companies need to provide transparency like OPPD is doing. Unfortunately, open houses like this are not available very often. Our community needs more good-paying jobs and training. So many entities are moving west. Education needs to be drastically improved, specifically in North Omaha. Our students are purely meeting state standards. Once they get to middle school, they get lost in the system, making it more challenging to succeed. But it's not just the schools; what happens in students' homes. Discipline issues and kids not getting support become more managing than teaching. North Omaha has terrific teachers and principals but needs to improve. OPS at the bottom of the entire state creates a cycle of disadvantage. There is a shortage of therapists, therapists of color. This is a significant barrier, many people need those services, and a small percentage get it.

Hidden needs – better housing, school, and what isn't apparent – mental health care access a layer of needs across economics, transportation, education and health. Some North Omaha residents could use more “safe homes” from domestic violence and work with the victims. We need more resources such as Women's Community Access, Francis House, and Catholic Charities. We don't know how many people are out there with fundamental struggles.

North Omaha needs help with the economy – what makes everything else possible. Listen to the local residents, authentic listening. Many times companies do the talking and not the listening. OPPD seems different. North Omaha needs more resources. Provide a bike trail by the power plant. Our air needs to be monitored and informed of the results. Some say in a perfect world, the private sector would provide all. Does the justice department have a role to play in our community? How do we know what justice is, what is just and unjust, who benefits, and who loses?

## **2. What do you expect from your electric utility?**

OPPD should explore new energy-generating technologies that can be both clean and reliable. Continue to maintain a competitive and fair rate—transparency and comparative data.

IRA is opening up new opportunities for OPPD—having some of those problems in rural solar. Things like rooftop solar can help address some of these issues of inequality in Omaha. In addition, OPPD has the opportunity to educate its customers more. There is a significant energy burden in North Omaha. OPPD is in a vital position to provide information to residents. Offer incentives for customers to switch over the appliances, especially in the summer.

OPPD could offer bill financing; this could be a beneficial program. This would help even the poorest areas with bill financing. MAPA presented at their last meeting about solar energy for homes and businesses. The presentation showed OPPD's calculator, which made it understandable and doable. The calculator made sense. LinkedIn stores up quite a bit of their usage through their parking lot. OPPD could show businesses how easy it was to invest in solar and how to save it.

OPPD should provide safe power for the North Omaha community and produce more renewable energy, making food sources cleaner. Stick to your mission statement. North Omaha residents feel the environmental sensitivity portion has taken a back seat to reliability and affordability. OPPD should adopt more of a company approach, there are more federal dollars available now, and OPPD needs to use those federal funds seeking those dollars to help add clean generation to the North Omaha community. President Biden has put money into energy renewables, and OPPD needs to take advantage of it and seek federal money for the Community. OPPD needs to be transparent and continue to have these meetings to have honest conversations, and the Community needs to have feedback on the feedback they provide.

The expectation of public utilities in general – want to be able to rely on them. Reliability, having the power when needed, at a low cost, and ensuring clean energy. Ensure the health of the communities and all the communities OPPD serves. Public power has an obligation to reinvest in the community.

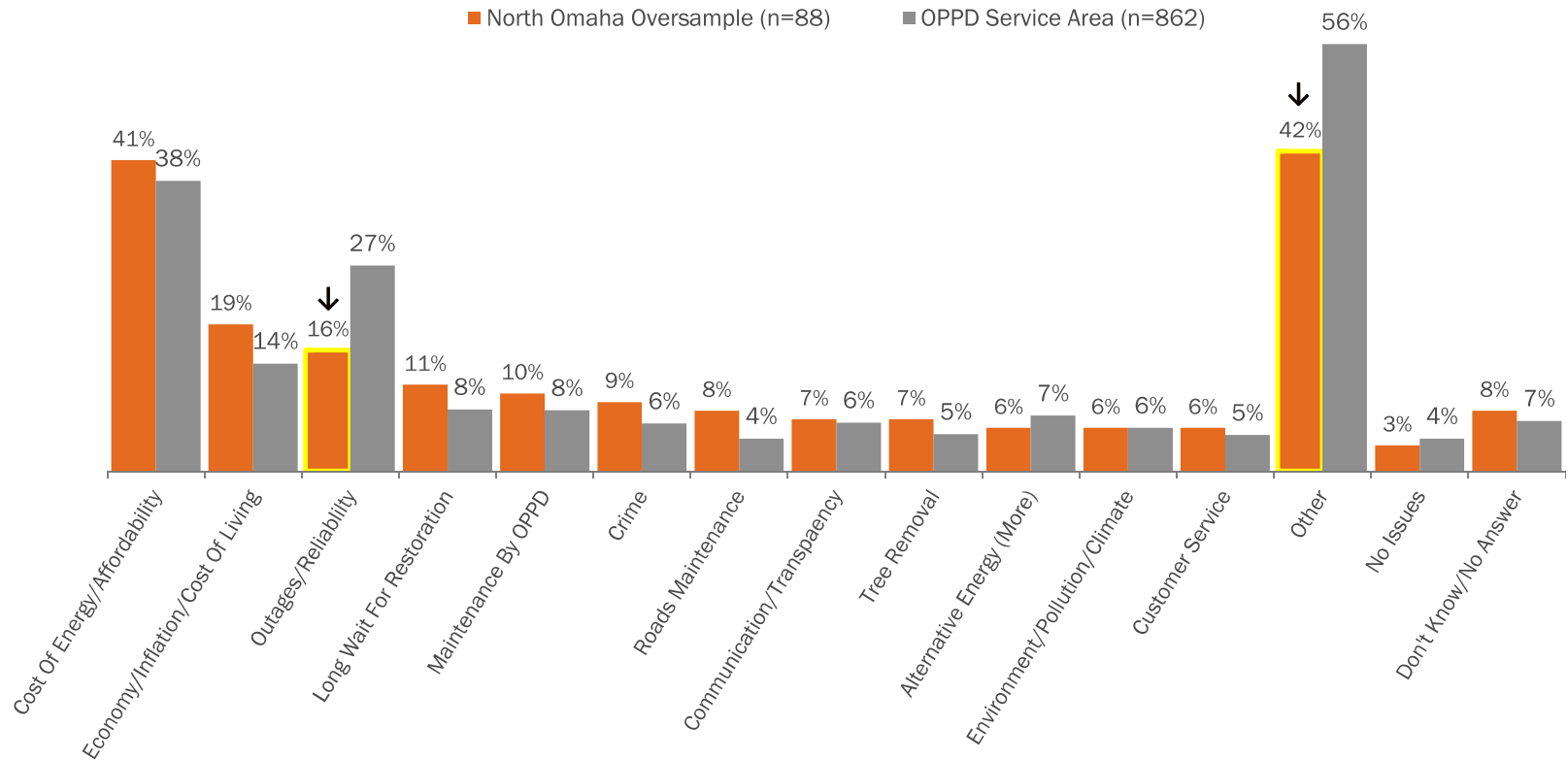
We expect OPPD to be net zero by 2035. Be more concerned about climate change for the entire world. Think about emissions from the coal plant in North Omaha and Nebraska City that have collectively contributed. OPPD needs to follow through as planned. Moving systems need to happen by 2035 to be on track and not to have crazy changes in the environment. We are so annoyed that we have been breathing emissions for so many years. We expect OPPD to help this community – educate the community that the money is available and how to apply in the state; here are contractors who have already done this.

North Omaha expects reliable power. Provide equity for people who need energy. Elderly or low-income residents shouldn't have to be cold because they can't afford their bills. North Omaha needs advocates for our kids that have too much time on their hands. Our kids need technology to learn. Also, it's hard to get program information to people who don't have a computer or smartphone and make it efficient.

We expect OPPD to provide zero-carbon energy at an affordable price for all and begin trimming trees in the North Omaha area again to prevent fewer outages. Also, educate more people and companies about battery-powered vehicles and school buses.

# Top 3 Issues Facing Local Community (Unaided replies)

- All respondents were asked what they felt were the three most important issues facing their local community.
- Among North Omaha Oversample respondents, the topic mentioned most often was cost of energy/affordability, followed at a distance by economy/inflation/cost of living and outages/reliability.
- The OPPD Service Area also mentioned the same three topics most often. When it came to outages/reliability, they mentioned this issue significantly more often than their North Omaha Oversample counterparts.



↑↓ Indicates significant difference between sample groups.

Base: Total Sample

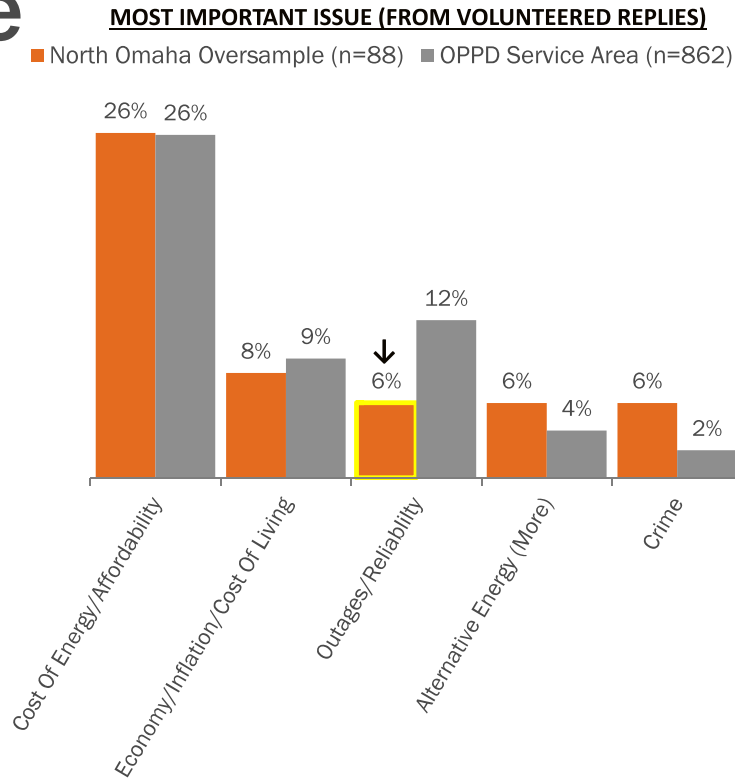
Reference: Q4. Thinking about your local community, what would you say are the 3 most important issues facing your local community?

(Total Mentions/3 Replies)



# Most Important Issue Facing Local Community & Extent To Which OPPD Can Positively Influence This Issue

- From the three issues the respondent volunteered in the prior question, they were then asked to choose which one they felt was the most important issue facing their community. Cost of energy/affordability was the top issue for both sample segments.
- Approximately eight in every ten respondents from both sample groups felt that OPPD had at least a moderate level of ability to positively influence the issue they chose as most important to their community.



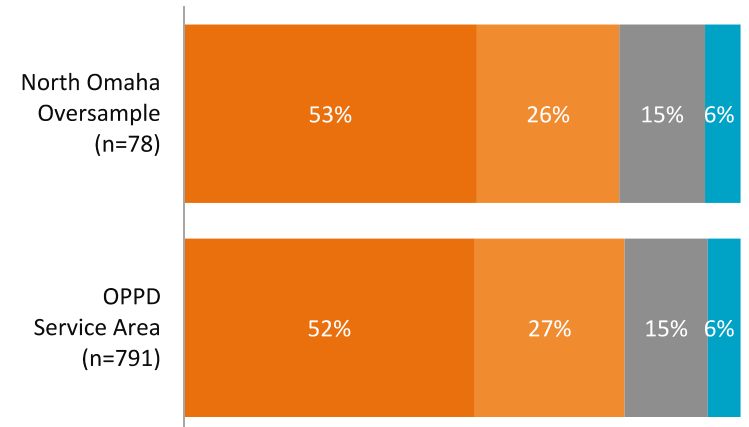
↑↓ Indicates significant difference between sample groups.

Base: Total Sample

Reference: Q4a. Of the 3 issues you mentioned above, which do you feel is the most important issue facing your local community? / Q4b. Please indicate to what extent, if any, you feel that OPPD can positively influence that issue.

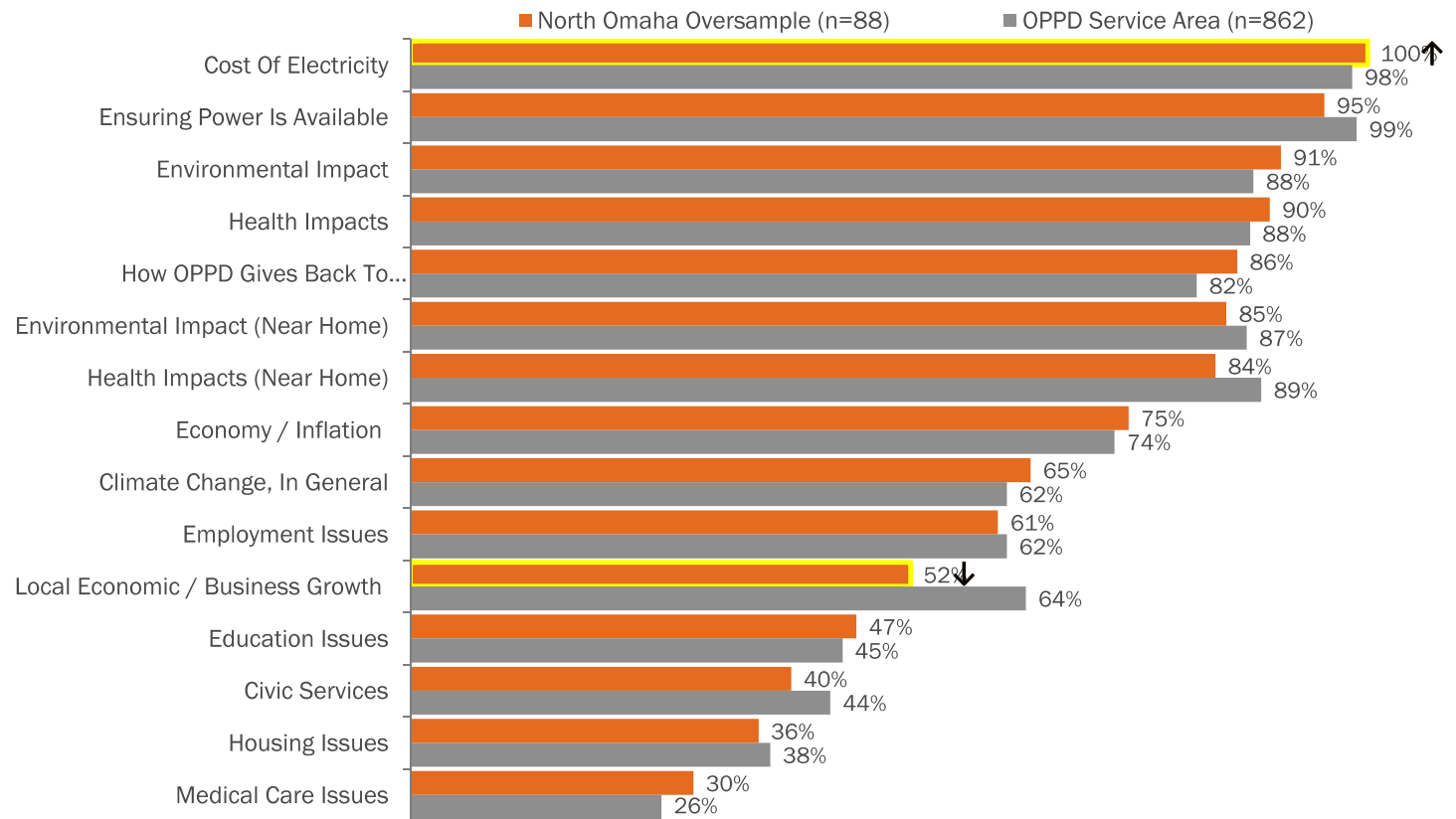
**WHAT EXTENT CAN OPPD POSITIVELY INFLUENCE THIS ISSUE**

- OPPD Has A Lot Of Ability To Positively Influence This
- Moderate Level Of Ability
- Has Little Ability
- OPPD Has No Ability To Positively Influence This



# Should OPPD Be Involved In ...? (Aided replies; % Yes)

- Fifteen topics were presented to respondents to gather their opinion on whether or not OPPD should be involved in that topic.
- Most agreed that OPPD should be involved in the cost of electricity, ensuring power is available, as well as the environmental impacts and health impacts of producing electricity.
- Fewer respondents felt that OPPD should be involved in topics such as medical care, housing, civic services, or education.



↑↓ Indicates significant difference between sample groups.

Base: Total Sample

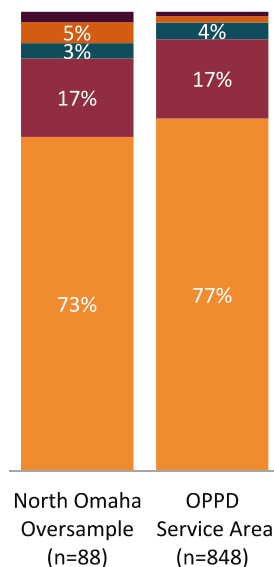
Reference: Q6. Please indicate whether you believe OPPD should be involved in the following topics...

# OPPD Involvement With: The Cost Of Electricity & How Much You Have To Pay For It

- After respondents were asked whether or not OPPD should be involved in the specific topics, they were next given a set of response options and asked which best explained why they believed OPPD should, or should not, be involved in that topic.
- The majority of respondents who believed OPPD should be involved with the cost of electricity, selected “the topic is directly related to OPPD’s business” as their reason for this belief.
- Only a handful of respondents felt that OPPD shouldn’t be involved in this issue.

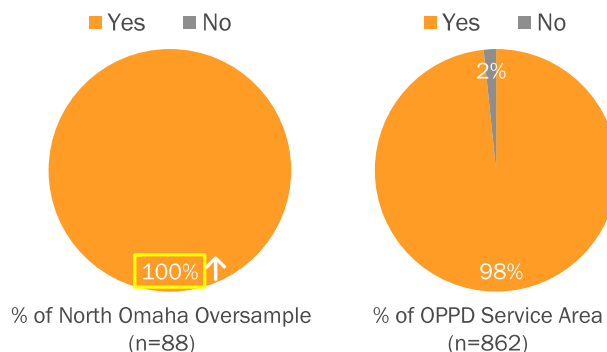
## WHY OPPD SHOULD BE INVOLVED WITH THIS TOPIC

- Other
- Should Try To Contribute
- Can Indirectly Impact
- Can Directly Impact
- Directly Related To Business



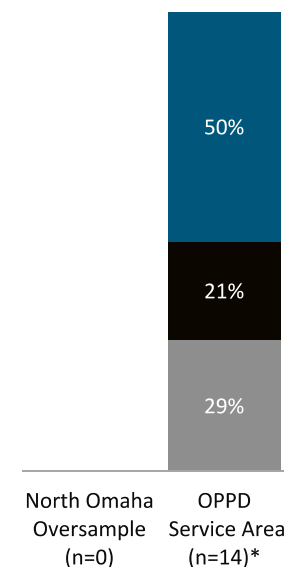
## SHOULD OPPD BE INVOLVED WITH THIS TOPIC?

The Cost of Electricity and How Much You Have To Pay For It



## WHY OPPD SHOULD NOT BE INVOLVED WITH THIS TOPIC

- Other
- Not That Important
- Not Related To Business
- Cannot Impact



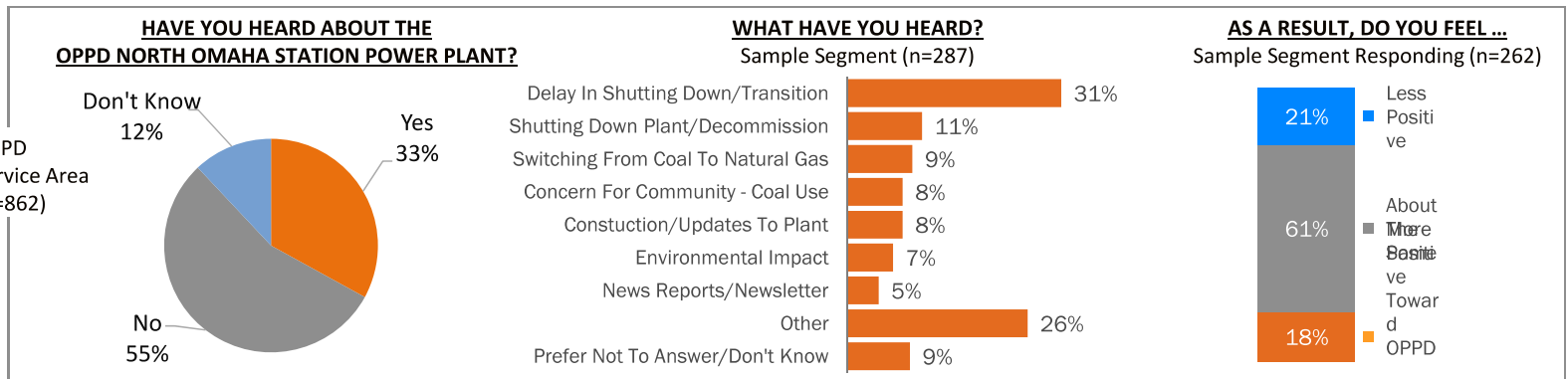
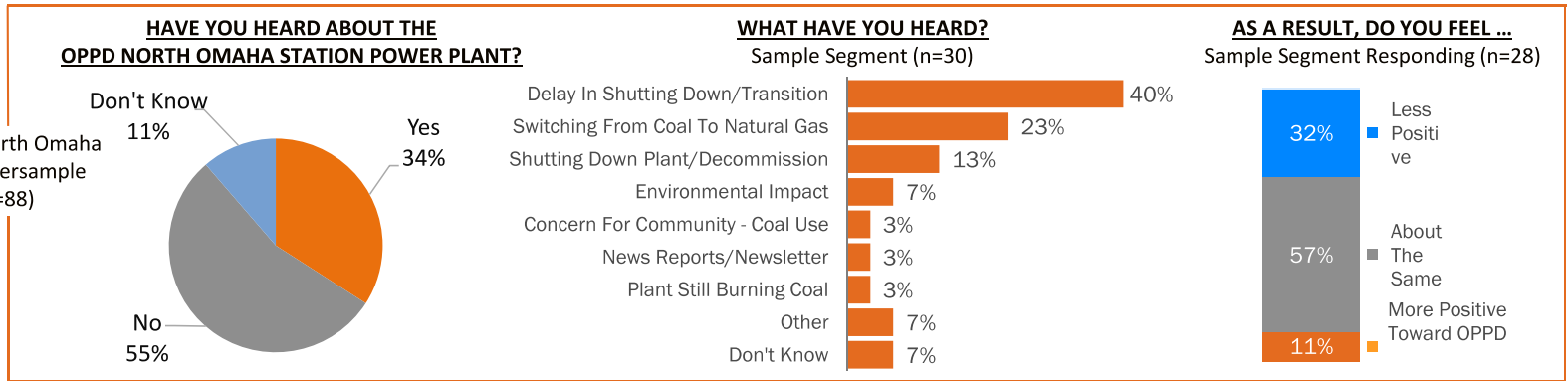
↑↓ Indicates significant difference between sample groups. / \*Caution: Small sample size.

Base: Total sample

Reference: Q6. Please indicate whether you believe OPPD should be involved in the following topics... / Q7. Which of the following best explains why you believe OPPD should be involved with this topic? / Q8. Which of the following best explains why you believe OPPD should not be involved with this topic?

# Hearing About OPPD North Omaha Station Power Plant & Influence On Feelings Toward OPPD

- Final questions assessed whether respondents had heard anything about the OPPD North Omaha Station Power Plant (NOS) and if they had, how that made them feel toward OPPD.
- Results were somewhat similar among both sample groups with only a third of respondents mentioning they had heard something about NOS. Most of those who had heard something said they feel the same about OPPD as a result of the information they heard.
- There is no significant difference between the proportion of North Omaha Oversample respondents who reported they feel less positive toward OPPD and that of OPPD Service Area respondents. In both samples, the majority said they still feel the same about OPPD.



No significant difference between sample groups.  
Base: Total Sample

Reference: Q10. Have you recently heard anything about the OPPD North Omaha Station power plant? / Q11. What have you heard about the OPPD North Omaha Station power plant? / Q12. As a result of the information that you've heard related to the OPPD North Omaha Station power plant, do you feel more positive, less positive or about the same TOWARD OPPD?



## Agenda

**OPPDD BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
Thursday, March 16, 2023 at 5:00 P.M.**

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

*Public may attend in person at the Omaha Douglas Civic Center or remotely by going to  
[www.oppd.com/BoardAgenda](http://www.oppd.com/BoardAgenda) to access the Webex meeting link and view materials.*

### **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 February 2023 Meeting Minutes and the March 16, 2023 Agenda
7. VP Sustainability & Environmental Affairs Appointment - Resolution 6553
8. SD-14: Retirement Plan Funding Monitoring Report - Resolution 6554
9. NC2 Economizer Outlet Expansion Joint Replacement -- Labor Contract Award - Resolution 6555
10. Substation Control Building & Switchgear Enclosure - Resolution 655
11. NW Omaha ED Steel Transmission and Substation Structures - Resolution 6557
12. Sarpy County Station (SC3) Generator Circuit Breaker & Disconnect Switch Replacement – Engineer’s Certification - Resolution 6558

### **Other Items**

13. President’s Report (40 mins)
14. Opportunity for comment on other items of District business
15. 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).

Action Item	Board Assignment	ELT Lead	Priority	Board Resources	OPPD Resources	Status	Accepted	Start	Finish	Comment
Develop a Board training plan	Chair	Fernandez	Medium	Medium	Low	On Track	12/01/21	08/11/22	04/28/23	Finish date moved per conversation during Governancepre-Committee (1/12) to reflect committee desire to explore best ways for training delivery with Board.
SD-2: Rates Policy Refinement <i>(Most recent monitoring report approved 6/16/22; next monitoring report tentatively June 2023)</i>	FIN	Bishop	Medium	Medium	Medium	On Hold	08/26/20	04/02/21	TBD	Initial revision completed (12/15/22); Will make future revisions based upon the outcomes of the Rate Workshops (timing TBD)
Governance discussion re: handling of concepts that span multiple SDs	GOV	Focht	Medium	Low	Low	On Hold	02/12/21	04/13/21		
Ad Hoc Committee on Market Transformation	GOV	Focht	Low	Low	Medium	On Hold	08/26/20			SD-9 potential revisions may address part of this topic
SD-13: Stakeholder Outreach & Engagement policy refinement <i>(Most recent monitoring report approved 10/21/21; Next monitoring report tentatively Oct. 2022)</i>	PI	Olson	Medium	Low	Medium	On Hold	01/19/21	02/09/21		PI Committee consensus on 12/7/21 to revise SD-11 first.
SD-4: Reliability Policy Refinement <i>(Most recent monitoring report approved 4/21/22; next monitoring report tentatively April 2023)</i>	SMNO	Via	Medium	Low	Medium	On Hold	08/26/20			Plan is for the Systems Committee to begin revision efforts after SD-9 and SD-7 are revised.
SD-12: Information Management and Security	GOV	Brown	Low	Low	Medium	Not Started				Request from Director Moody to affirm that SD-12 is still relevant and provides sufficient direction to the district, especially given the volume and complexity of change happening in the IMS space; explore OPPD's role in allowing its customers to share their information for broader advancement of the utility industry future.
Assess and implement best ways to evolve Board review process	GOV	Focht	Low	Medium	Medium	Not Started	12/01/21			
Update the language in GP-6: Role of the Board Officers - Add clarity for how/when/who appoints ad hoc committees	GOV	Focht	Low	Low	Low	Not Started	12/01/21			
Improve process for how we manage board work plan	Chair	Focht	Medium	Low	Low	Completed	12/01/21	12/01/21	04/16/22	Will socialize Mar/Apr
Gain line of sight into CEO Coaching	Chair	Fernandez	Low	Low	Low	Completed	12/01/21	02/01/22	05/31/22	Javier worked with STS on development plan; STS presented development plan at 5/17/22 closed session
Improve manner in which committee meeting objectives are written	Committee Chairs	Executive Liaisons	Low	Low	Low	Completed	12/01/21	12/01/21	04/16/22	Addition of deputy executive liaison/scribe role will facilitate
SD-5: Customer Satisfaction - non-substantive update	GOV	Focht	Low	Low	Low	Completed	12/01/21	12/01/21	04/21/22	Included in the non-substantive change proposal approved by the Board on 4/21/22
Refine SD monitoring process to address question of "compliance" as well as allow discussion on both on what has been achieved and where there are continued challenges and gaps; include any changes for GP-3: Board Job Description	GOV	Focht	Medium	Medium	Medium	Completed	02/12/21	02/12/21	04/21/22	Piloting a refined approach with SD-1 Monitoring Report approved on 4/21/22; will implement in monitoring reports starting in May 2022
SD-1: Strategic Foundation Monitoring Report Discussion and Refinement	GOV	Focht	Low	Low	Low	Completed	02/12/21	04/13/21	04/21/22	Addressed during monitoring report approved on 4/21/22
Understand and recommend action regarding chairs being able to serve two consecutive terms	GOV	Bruckner	Medium	Low	Low	Completed	12/01/21	12/01/21	01/20/22	Keep current process, track years served, and confirm on an annual basis.

Action Item	Board Assignment	ELT Lead	Priority	Board Resources	OPPD Resources	Status	Accepted	Start	Finish	Comment
Clarify role of committee chair and executive liaison in determining need for pre-committee meetings and related agendas	GOV	Focht	Low	Low	Low	Completed	12/01/21	12/01/21	01/20/22	Built into the monthly meeting between executive liaison and committee chair
Explore mechanisms for sharing pre-committee discussions with all Board members	GOV	Focht	Low	Low	Low	Completed	12/01/21	12/01/21	01/20/22	Address through chair report during All Committees meeting and availability of materials in Diligent
Improve how we use the Summary of Committee Direction and reporting during All Committee meetings	GOV	Focht	Low	Low	Low	Completed	12/01/21	12/01/21	03/11/22	Addition of deputy executive liaison/scribe role will facilitate
BL-5: Unity of Control Policy Revision	GOV	Focht	Medium	Low	Low	Completed	08/26/20	08/26/20	12/09/20	
BL-7: Delegation to the President & CEO	GOV	Focht	Medium	Low	Low	Completed	08/26/20	08/26/20	09/17/20	
GP-4: Agenda Planning	GOV	Focht	Low	Low	Low	Completed	08/26/20	08/26/20	09/17/20	
SD-11: Economic Development policy refinement <i>(Most recent monitoring report approved 11/18/21; Next monitoring report tentatively Nov. 2022)</i>	PI	Olson	Medium	Low	Medium	Completed	01/19/21	02/09/21	06/16/22	PI committee currently reviewing draft; intend to advance out of committee to Board in May; Board approved revised SD-11 on 6/16/22
BL-9: Delegation to President & CEO - Local, State and Federal Legislation and Regulation - Legislative Resolution	PI	Olson	High	Low	High	Completed	07/11/20	07/11/20	10/13/20	
SD-9: Resource Planning policy refinement <i>(Most recent monitoring report approved 8/17/21; next monitoring report tentatively September 2022)</i>	SMNO	Via / Underwood	Medium	Low	Medium	Completed	08/26/20	12/03/20	08/18/22	System Committee consensus at 3/3/22 meeting to share language with other Board members between March and April for potential public discussion in April. Board discussion and consensus at 6/14/22 All Committees meeting to return SD-9 policy to System Committee for further refinement. Policy revised and posted for public comment 7/28/22-8/14/22. Board approved revisions and renaming of policy to SD-9: Integrated System Planning 8/18/22.
SD-7: Environmental Stewardship policy refinement <i>(Most recent monitoring report approved 10/21/21; Next monitoring report tentatively Oct. 2022)</i>	SMNO	Olson	Medium	Low	Medium	Completed	10/05/21	09/08/22	09/22/22	Plan is for the Systems Committee to begin revision efforts after SD-9 is revised. Discussion about an update to include interim metrics for carbon emissions reduction is expected after this work is completed and presented. System Committee discussed proposed revision at 9/8/22 meeting; Board approved revision 9/22/22.
SD-7: Environmental Stewardship policy refinement	SMNO	Fisher	High	Low	Medium	Completed	01/19/21	01/19/21	05/20/21	Added language to reflect climate change



# Reporting Item

## BOARD OF DIRECTORS

March 14, 2023

### ITEM

Power with Purpose; Natural Gas Generation, Energy Delivery and Solar Updates

### PURPOSE

Provide updates on Power with Purpose projects for March 2023.

### TURTLE CREEK STATION & STANDING BEAR LAKE STATION FACTS

- a. Engineering, procurement, and construction activities are in progress. As all procurement and material receipt is not complete, the teams continue to monitor and work through supply chain and other challenges that are common to these large projects and somewhat expected in the current global environment.
- b. At Standing Bear Lake Station, erection of the engine hall and various foundation work continues with more above ground work to commence and, in the substation area, the switches are installed and the control house foundation is curing in preparation for assembly and installation.
- c. At Turtle Creek Station, major foundation work is occurring for the exhaust stacks and generator step-up transformers and the administrative building progress continues. In the substation area, switches are being assembled for installation and the control house area foundation is being prepared.

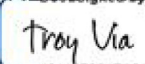
### ENERGY DELIVERY FACTS

Structure erection and wire installation is proceeding several weeks ahead of schedule on the Sarpy Southwest Transmission Project with two (2) of the three (3) transmission lines now complete. Foundation work for the new transmission lines connecting Standing Bear Lake Station is now complete and outage coordination is in progress for the modification of the existing transmission line. Underground work for cable raceway continues at the remote end substation near 144<sup>th</sup> and State Streets. Other major activities include the foundation installations associated with the transmission deadends, lightning masts, and breakers.

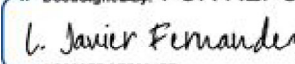
### SOLAR FACTS

- a. The 81-megawatt Platteview Solar facility in Saunders County continues to make progress. Construction is on track to begin at the site once the ground thaws and weather conditions are suitable. Construction on the interconnection substation also continues to progress.
- b. The industry continues to seek further details and guidance for the Inflation Reduction Act (IRA) from the Department of Treasury and Internal Revenue Service (IRS). In light of this, OPPD staff continue to work with industry experts, including financial, tax, legal, and suppliers, to evaluate these policies and understand how to optimize the pursuit of solar deployment for customer owners.
- c. Staff continue to track and maintain a development pipeline of potential projects, informed by ongoing discussions with project developers, suppliers, and other industry experts.
- d. OPPD staff continue to engage with local jurisdictions to support the development of solar regulations and provide education on solar technology.

### RECOMMENDED:

  
 \_\_\_\_\_  
 Troy R. Via  
 Chief Operating Officer & Vice President  
 Utility Operations

### APPROVED FOR REPORTING TO BOARD:

  
 \_\_\_\_\_  
 L. Javier Fernandez  
 President and Chief Executive Officer





# Power with Purpose Update Committee Meeting

March 14, 2023



# Power with Purpose Update

## Agenda

- Standing Bear Lake Station & Turtle Creek Station
- Solar



# Standing Bear Lake Station & Turtle Creek Station



# Power with Purpose Update

## Standing Bear Lake Station

- Site Progress: 47.3%
- Construction activities
  - Substation: switches are being installed and the control house foundation has been poured
  - Generation: the engine hall and administrative buildings progress, backfill and foundation work continue
  - Challenges: supply chain lead times on key electrical components – Common across large projects and global environment



*Facing Southeast – Engine Hall & Administrative Building Enclosures*



*Facing West – Substation H-Frame & Switch Placement*



*Facing South – Switchyard Erection*

*Information as of March 3, 2023*

# Power with Purpose Update

## Turtle Creek Station

- Site Progress: 45.9%
- Construction activities
  - Substation: switches are being assembled and installed; control house foundation and construction preparations in progress
  - Generation: major foundation work is occurring for the exhaust stacks and transformers
  - Challenges: supply chain lead times on key electrical components – Common across large projects and global environment



*Substation Control House Foundation Preparation*



*Facing East – Unit #1 Transformer Slab Pour*



*Facing North – Unit #2 Stack Foundation Prep*



*Substation Switch Installation*

*Information as of March 3, 2023*



# Solar Update



# Platteview Solar

## March Project Status Update

- OPPD Substation Progress: 50%
- AES Progress: 30%
- Ongoing Solar Activities
  - OPPD substation construction is ongoing. Foundations, ducts, grounding and fence expansion work complete.
  - Electrical, Civil and Structural 90% design packages are under review
  - Site mobilization estimated: Late Q1 2023
  - Racking and Module delivery: Q2 2023
  - Regular meetings with Saunders County leaders and the community to provide project updates
  - AES & Blue Ridge, with OPPD's support, held a business fair for local contracting for the construction phase of the project.

