



Moody/Via

RESOLUTION NO. 6562

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

**REQUEST FOR PROPOSAL (RFP) NO. 6040
BENNINGTON EXPANSION SUBSTATION AND TRANSMISSION STEEL 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 \$2,599,231.00 for the procurement of galvanized steel transmission and substation structures pursuant to Request for Proposal No. 6040 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



Date: April 7, 2023

From: D. D. Buelt

To: T. R. Via

RFP No. 6040

“Bennington Expansion Substation and Transmission Steel Structures, RFP No. 6040”
Analysis of Proposals

1.00 GENERAL

RFP No. 6040 was advertised for bid on February 16, 2023.

This contract will procure galvanized steel transmission and substation structures for a new substation to support growing load and increase the reliability in the Bennington area.

Anchor bolts were requested to be delivered by November 20, 2023. Structures were requested to be delivered by December 18, 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., Thursday, March 16, 2023.

Engineer’s Estimate was \$ 2,525,200.00

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	\$ 2,591,749.00	Yes	No
Arcosa - Meyer Utility Structures	\$ 2,599,231.00	Yes	Yes
Klute	\$ 2,604,028.42	Yes	No
Trans American Power Products	\$ 2,720,659.00	Yes	No
Valmont	\$ 3,010,256.00	Yes	No

T.R. Via
April 7, 2023
Page 2 of 2

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

The district's legal counsel determined that all five (5) proposals were legally responsive, subject to technical and economic evaluation:

The proposal from Valmont is deemed legally responsive. However, a letter of clarification must be obtained from Valmont to ensure District's contract documents governs the standard terms included with their proposal.

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 stated that pricing for their proposal is firm only for six (6) months and subject the District to seek a letter of clarification stating that the pricing in the proposal will be honored. A letter of clarification was received from Arcosa-Meyer Utility Structures on March 24, 2023, and they confirmed pricing through the delivery dates of structures.

The proposals from Trans American Power Products, Klute, Inc., and Grid Structures LLC were deemed legally responsive and do not submit any exceptions to the contract.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposals from Valmont, Klute, Inc., and TransAmerica Power Products were not considered for a technical review as they will not meet the delivery dates. They are deemed technically non-responsive for failure to meet those dates.

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

The proposal from Arcosa - Meyer Utility Structures is deemed to be technically responsive.

4.00 RECOMMENDATION


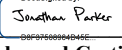
On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed, and guaranteed completion dates, it is recommended that RFP No. 6040 Bennington Expansion Substation and Transmission Steel Structures be awarded to Arcosa - Meyer Utility Structures for the evaluated amount Two Million, Five Hundred Ninety-Nine Thousand, Two Hundred Thirty-One dollars (\$2,599,231.00).

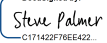
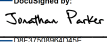
DocuSigned by:



6DD7614246BB48E...

Dannie Buelt, P.E.
Director Engineering
Utility Operations

<p>TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Tuesday, March 16, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6040 Bennington Expansion Substation and Transmission Structures</p>			<p align="center"> <small>DocuSigned by:</small>  Steve Palmer <small>C171422F78EE422...</small> <hr/> Director Supply Chain Management <hr/> <small>DocuSigned by:</small>  Jonathan Parker <small>0899300000040400...</small> <hr/> Compiled by and Certified Correct </p>
<p align="center">Anticipated Award Date April 20, 2023</p>				
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center">\$2,525,200.00</p>				
<p align="center">BID ITEM</p>	<p align="center">BIDDER'S NAME & ADDRESS</p>			
	<p align="center">Grid Structures, LLC 13040 Foulks Lane Amite City, LA 70422</p>	<p align="center">Arcosa - Meyer Utility Structures 6750 Lenox Center, Suite 400 Memphis, TN 38115</p>	<p align="center">Klute Inc. 1313 Road G York, NE 68467</p>	
<p>1. Price Proposal:</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>2. Completion Guarantee: Anchor Bolt Cage Delivery: November 20, 2023 Structure Delivery: December 18, 2023</p>	<p align="center">SUPPLIER'S BID</p> <p align="center"><u>\$2,591,749.00</u></p> <p align="center"><u>\$2,591,749.00</u></p> <p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center"><u>11/20/2023</u> <u>12/18/23</u></p>	<p align="center">SUPPLIER'S BID</p> <p align="center"><u>\$2,599,231.00</u></p> <p align="center">\$Included in structure pricing</p> <p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center"><u>As required - Shipment 29 weeks ARO</u> <u>As required - Shipment 32-33 weeks ARO</u></p>	<p align="center">SUPPLIER'S BID</p> <p align="center"><u>\$2,604,028.42</u></p> <p align="center"><u>\$49,380.00</u></p> <p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center"><u>11/20/2023</u> <u>05/13/2024</u></p>	

<p>TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Tuesday, March 16, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6040 Bennington Expansion Substation and Transmission Structures</p>		<p align="center"> <small>DocuSigned by:</small>  <small>C171422F78EE422</small> <hr/> Director Supply Chain Management <hr/> <small>DocuSigned by:</small>  <small>01B7F508084145E</small> Compiled by and Certified Correct </p>	
<p align="center">Anticipated Award Date April 20, 2023</p>			<p align="center">BIDDER'S NAME & ADDRESS</p>	
<p align="center">ENGINEER'S ESTIMATE \$2,525,200.00</p>			<p align="center"> TAPP, Inc. 2427 Kelly Lane Houston, TX 77066 </p>	<p align="center"> Valmont Industries, Inc. 28800 Ida Street Valley, NE 68064 </p>
<p align="center">BID ITEM</p>	<p align="center">SUPPLIER'S BID</p>	<p align="center">SUPPLIER'S BID</p>	<p align="center">SUPPLIER'S BID</p>	
<p>1. Price Proposal:</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>2. Completion Guarantee: Anchor Bolt Cage Delivery: November 20, 2023 Structure Delivery: December 18, 2023</p>	<p align="center"> <u>\$2,720,659.00</u> <u>\$147.00.00</u> <u>Guaranteed Delivery Date</u> <u>November 20, 2023</u> <u>April 17, 2024</u> </p>	<p align="center"> <u>\$3,010,256.00</u> <u>\$ Included with structures</u> <u>Guaranteed Delivery Date</u> <u>18-20 Weeks ARO & Design Approvals</u> <u>37-39 Weeks ARO & Design Approvals</u> </p>		



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

March 21, 2022

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

RE: Request for Proposal No. 6040 – Bennington Expansion Substation and Transmission Steel Structures ("RFP No. 6040")

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to the District's RFP No. 6040 and provide the following legal opinion.

The proposal of TransAmerica Power Products did not acknowledge receipt of the District's letter of clarification No. 1. A letter should be received from TAPP acknowledging receipt of the District's letter of clarification.

The proposal of Valmont Industries submits "standard terms" with the proposal. However, for this sealed bid contract, the District's contract documents must govern. Therefore, if the Valmont proposal is to be considered, a letter of clarification must be obtained from Valmont withdrawing the standard terms included with this proposal.

The proposal of Arcosa-Meyer Utility Structures states that the pricing for its proposal remains firm only for six months. If this proposal is to receive consideration, the District must obtain a letter of clarification stating that the pricing set forth in the proposal will be honored if Arcosa-Meyer is awarded this contract (although a specified escalation formula is acceptable). Additionally, Arcosa-Meyer includes technical clarifications for the District to evaluate, and also includes revisions to several provisions of the District's procurement agreement. We have evaluated those revisions and do not deem them materially non-responsive. They are subject to the District's economic evaluation.

The proposals of Grid Structures LLC and Klute, Inc. do not contain exceptions to the contract documents.

Subject to the foregoing comments and the District's technical and economic evaluation, the five proposals received in response to the District's RFP No. 6040 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.

Very truly yours,

Stephen M. Bruckner
FOR THE FIRM

SMB:sac
2978392

Fraser Stryker PC LLO

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



Board Action

April 18, 2023

ITEM

Award RFP No. 6040 Bennington Expansion Substation and Transmission Steel Structures

PURPOSE

Board of Directors authorization to award a contract for galvanized steel transmission and substation structures for a new substation to support growing load and reliability in the Bennington area.

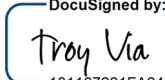
FACTS

- a. A new substation near Bennington is needed for load growth and reliability in the area.
- b. Approximately 2.8 miles of 161kV overhead transmission line is required to interconnect the new substation.
- c. Five (5) proposals were received. All five (5) proposals are legally responsive, and one (1) is technically responsive.
- d. Construction of the lines will begin in March 2024 and conclude by June 2024.

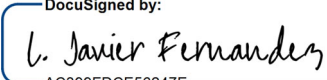
ACTION

Authorization by the Board to award a contract for RFP No. 6040 Bennington Expansion Substation and Transmission Steel Structures to Arcosa - Meyer Utility Structures for the evaluated amount of Two Million, Five Hundred Ninety-Nine Thousand, Two Hundred Thirty-One dollars (\$2,599,231.00).

RECOMMENDED:

DocuSigned by:

 181167221FA24AE...
 Troy R. Via
 Chief Operating Officer and
 Vice President – Utility Operations

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

 AC399FDC56247E...
 L. Javier Fernandez
 President and Chief Executive Officer

TRV:sjh

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