



Moody/Via

RESOLUTION NO. 6615

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

**REQUEST FOR PROPOSAL (RFP) NO. 6107
SPRING 2024 TRANSMISSION CONSTRUCTION**

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 High Voltage in the amount of \$1,312,715.25 for the procurement of construction services regarding transmission system modifications pursuant to Request for Proposal No. 6107 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



MEMORANDUM

Date: December 1, 2023

From: S. J. Hanson

To: T. R. Via

RFP No. 6107
 “Spring 2024 Transmission Construction”
Analysis of Proposals

1.00 GENERAL

RFP No. 6107 was advertised for bid on October 12, 2023.

Contract scope of work includes relocation of a 69kV transmission line for a development in Omaha, installation of air flow spoilers on multiple transmission lines, replacement of sixty-one (61) structures at the end of their useful life, and the relocation of a stub pole to accommodate a road widening project.

Construction is scheduled to begin February 1, 2024 and conclude July 5, 2024.

One (1) Letter of Clarification (LOC) was issued to provide clarification on the technical aspects of the project requested by the bidder. One (1) Addendum was issued to provide updated bid units on the bid form.

Proposals were requested and opened at 2:15 p.m., C.S.T., Thursday, November 16, 2023.

Engineer’s Estimate was \$1,682,999.00.

Eight (8) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
High Voltage	\$ 1,312,715.25	Yes	Yes
Watts Electric Co.	\$ 1,314,191.75	Yes	Yes
The L.E. Myers Co.	\$ 1,751,842.89	Yes	No
J.F. Electric, Inc.	\$ 2,163,468.30	Yes	Yes
Brink Constructors	\$ 2,263,237.04	Yes	Yes
Altitude Energy	\$ 2,954,097.30	Yes	Yes
Ward Electric	\$ 4,240,116.01	Yes	Yes
Flory Line Construction	\$ 6,735,633.71	Yes	Yes

T.R. Via
December 1, 2023
Page 2 of 2

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel noted that Brink Constructors does not acknowledge receipt of the District's addendum 1. Their proposal is still deemed legally responsive.

The legal counsel also noted that the proposal response from The L.E. Myers Co. included minor revisions to certain contract provisions; however, the alternate terms are minor, thus the proposal was deemed legally responsive.

The other remaining proposals from High Voltage, Ward Electric, J.F. Electric, Inc., Altitude Energy, Flory Line Construction, and Watts Electric Co. were deemed to be legally responsive.

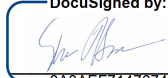
3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposal received from The L.E. Myers Co. took exceptions and clarifications to the RFP. Based on the nature of exceptions and clarifications, the proposal would subjectively change the price of the work. The proposal from The L.E. Myers Co. was deemed technically non-responsive.

All remaining legally responsive proposals were deemed 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. 6107 Spring 2024 Transmission Construction be awarded to High Voltage for the evaluated amount of One Million, Three Hundred Twelve Thousand, Seven Hundred Fifteen Dollars, and Twenty-Five Cents (\$1,312,715.25).

DocuSigned by:

8A3AEF71476742A
Shane J. Hanson, P.E.
Director Engineering
Utility Operations

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Thursday, November 16, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6107 Spring 2024 Transmission Construction</p> <p align="right">Page 1 of 3</p>			<p>DocuSigned by: <i>Steven Palmer</i> <small>C171422F76FE422...</small> Director</p> <p>DocuSigned by: <i>Pettina Anderson</i> <small>8A15534EAB784CC...</small> Supply Chain Management Compiled by and Certified Correct</p>
<p align="center">Anticipated Award Date December 27, 2023</p>				
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center">\$1,682,999.00</p>				
<p align="center">BID ITEM</p>	<p align="center">BIDDER'S NAME & ADDRESS</p>			
	<p align="center">Altitude Energy 26400 I-76 Frontage Road PO Box 359 Keenesburg, CO 80643</p>	<p align="center">Brink Constructors 2950 North Plaza Drive Rapid City, SD 57702</p>	<p align="center">Flory Line Construction 2195 S. Sheridan Road Lennon, MI 48449</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: Lump sum firm price ("Contract Price") to perform all Work as specified. Total of all bid items from price quotation summary tab of "Attachment A" worksheet and reflected on page 25 of this RFP.</p>	<p align="center"><u>\$2,954,097.30</u></p>	<p align="center"><u>\$2,263,237.04</u></p>	<p align="center"><u>\$6,735,633.71</u></p>	
<p>2. Completion Guarantee(s):</p> <p>Start Installations: February 1, 2024</p> <hr/> <p>Complete all Installations: July 5, 2024</p> <hr/>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center"><u>February 1, 2024</u></p> <p align="center"><u>July 5, 2024</u></p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center"><u>February 1, 2024</u></p> <p align="center"><u>July 5, 2024</u></p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center"><u>February 1, 2024</u></p> <p align="center"><u>July 5, 2024</u></p>	

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Thursday, November 16, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6107 Spring 2024 Transmission Construction</p> <p align="right">Page 2 of 3</p>			<p align="center">DocuSigned by: <i>Steven Palmer</i> C171422F78EE422... Director DocuSigned by: Supply Chain Management <i>Pettina Anderson</i> 8A16634EAB784CC... Compiled by and Certified Correct</p>		
<p align="center">Anticipated Award Date December 27, 2023</p>				<p align="center">BIDDER'S NAME & ADDRESS</p>		
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center">\$1,682,999.00</p>				<p align="center">High Voltage PO Box 428 Vernal, UT 84078</p>	<p align="center">J.F. Electric, Inc. 100 Lakefron Parkway PO Box 570 Edwardsville, IL 62025</p>	<p align="center">The L.E. Myers Co 1405 Jackson Street Marshalltown, IA 50158</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: Lump sum firm price ("Contract Price") to perform all Work as specified. Total of all bid items from price quotation summary tab of "Attachment A" worksheet and reflected on page 25 of this RFP.</p>	<p align="center"><u>\$1,312,715.25</u></p>	<p align="center"><u>\$2,163,468.30</u></p>	<p align="center"><u>\$1,751,842.89</u></p>			
<p>2. Completion Guarantee(s):</p>	<p align="center"><u>Guaranteed Completion Date</u></p>	<p align="center"><u>Guaranteed Completion Date</u></p>	<p align="center"><u>Guaranteed Completion Date</u></p>			
<p>Start Installations: February 1, 2024</p>	<p align="center"><u>February 1, 2024</u></p>	<p align="center"><u>February 1, 2024</u></p>	<p align="center"><u>February 1, 2024</u></p>			
<p>Complete all Installations: July 5, 2024</p>	<p align="center"><u>July 5, 2024</u></p>	<p align="center"><u>July 5, 2024</u></p>	<p align="center"><u>July 5, 2024</u></p>			

<p>TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Thursday, November 16, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6107 Spring 2024 Transmission Construction</p> <p align="right">Page 3 of 3</p>			<p align="center">DocuSigned by: <i>Steven Palmer</i> 617143257655422... DocuSigned by: Supply Chain Management <i>Pettina Anderson</i> 8A15534EAB784CC... Compiled by and Certified Correct</p>
<p align="center">Anticipated Award Date December 27, 2023</p>				
<p align="center">ENGINEER'S ESTIMATE \$1,682,999.00</p>				
<p align="center">BID ITEM</p>	<p align="center">BIDDER'S NAME & ADDRESS</p>			
	<p align="center">Ward Electric 9586 E. I-25 Frontage Road Suite B Longmont, CO 80504</p>	<p align="center">Watts Electric Co. 13351 Dover Street Waverly, NE 68462</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: Lump sum firm price ("Contract Price") to perform all Work as specified. Total of all bid items from price quotation summary tab of "Attachment A" worksheet and reflected on page 25 of this RFP.</p>	<p align="center"><u>\$4,240,116.01</u></p>	<p align="center"><u>\$1,314,191.75</u></p>	<p align="center">\$ _____</p>	
<p>2. Completion Guarantee(s):</p> <p>Start Installations: February 1, 2024</p> <hr/> <p>Complete all Installations: July 5, 2024</p> <hr/>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">February 1, 2024</p> <p align="center">July 5, 2024</p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">February 1, 2024</p> <p align="center">July 5, 2024</p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">_____</p> <p align="center">_____</p>	



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

November 22, 2023

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

RE: Request for Proposal No. 6107 – Spring 2024 Transmission Construction

Ladies and Gentlemen:

We have reviewed the eight (8) proposals received in response to the District's RFP No. 6107 and provide this legal opinion.

The proposal of Brink Constructors does not acknowledge receipt of the District's Addendum 1 to this RFP. Brink should provide a letter of clarification acknowledging receipt of that Addendum. Additionally, Brink proposes to use a previously negotiated Contract No. 265965 for this work. That is acceptable, as long as the District validates that the previous contract is acceptable for this project and conforms the contract to this current scope of work. The Brink proposal also includes technical clarifications that are for the District's evaluation.

The proposal of LE Meyers includes proposed revisions to the Construction Services Agreement. Those proposed revisions are legally acceptable.

Finally, the proposal of Altitude Energy does not acknowledge receipt of the District's Letter of Clarification No. 1, and this acknowledgment should be received for Altitude Energy's bid to be considered.

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. 6107 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,

A handwritten signature in blue ink, appearing to read 'Stephen M. Bruckner', written over a light blue horizontal line.

Stephen M. Bruckner
FOR THE FIRM

SMB:nu
310794

Fraser Stryker PC LLO

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



Board Action

BOARD OF DIRECTORS

December 19, 2023

ITEM

Award RFP No. 6107 Spring 2024 Transmission Construction

PURPOSE

Board of Directors authorization to award a contract for construction services regarding transmission system modifications.


FACTS

- a. Relocation of a 69kV transmission line for residential development in Omaha.
- b. Installation of Air Flow Spoilers on multiple transmission lines to reduce icing concerns.
- c. Replace eleven (11) wood 345kV structures and fifty (50) wood 69kV structures that are at the end of their useful life.
- d. Relocation of a 161kv transmission line stub pole due to a road widening project in Omaha.
- e. Construction labor includes the following:
 - structure erection and framing,
 - installation of conductor and shield wire, and
 - removal of existing structures, conductor, shield wires, and transmission line hardware.
- f. Eight (8) proposals were received. All eight (8) proposals are legally responsive and seven (7) of the eight (8) proposals are also technically responsive.
- g. Construction to begin in February 2024 and conclude in July 2024.
- h. The proposal from High Voltage Inc. was evaluated to be the lowest and best.


ACTION

Authorization by the Board to award a labor contract to High Voltage Inc. in the amount of One Million, Three Hundred Twelve Thousand, Seven Hundred Fifteen Dollars and Twenty-Five Cents (\$1,312,715.25) for the procurement of construction services to construct and modify the transmission lines based on the evaluation of RFP No. 6107 Spring 2024 Transmission Construction.

RECOMMENDED:

DocuSigned by:

 181187221FA24AE...
 Troy R. Via
 Chief Operating Officer and
 Vice President – Utility Operations

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

 AC399FDCE56247E...
 L. Javier Fernandez
 President and Chief Executive Officer

TRV:sjh

Attachments: Analysis of Proposals
 Tabulation of Bids
 Legal Opinion
 Resolution