



BOARD OF DIRECTORS

Board Action

January 16, 2024

ITEM

Award RFP No. 6115 15kV Metalclad Switchgear

PURPOSE

Board of Directors authorization to award RFP 6115 for the purchase of 15kV metalclad switchgear to support the replacement of aging equipment in an existing substation to ensure reliable energy services to our customers.

FACTS

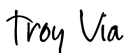
- a. Procurement includes 15kV metalclad switchgear with delivery and installation at the site.
- b. Metalclad switchgear houses 15kV circuit breakers and relaying equipment that protect distribution circuits and substation transformers from faults on the distribution system.
- c. Two (2) proposals were received. Both were legally and technically responsive.
- d. Delivery of the 15kV metalclad switchgear is February 2025.
- e. The proposal from Harold K. Scholz Co. was evaluated as the lowest and best bid.

ACTION

Authorization by the Board to award RFP No. 6115, 15kV Metalclad Switchgear to Harold K. Scholz Co. in the amount of Five Hundred Forty-Nine Thousand, Eight Hundred Dollars (\$549,800.00).

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

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

DocuSigned by:

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

TRV:jgb

Attachments: Analysis of Proposals
Tabulation of Bids
Legal Opinion
Resolution



DATE: January 2, 2024

FROM: S. J. Hanson

TO: T. R. Via

RFP No. 6115
 “15kV Metalclad Switchgear”

Analysis of Proposals

1.00 GENERAL

RFP No. 6115 was advertised for bid on November 16, 2023.

This contract will procure 15kV metalclad switchgear to support the replacement of aging equipment in an existing substation to ensure reliable energy services to our customers.

Desired delivery of the 15kV metalclad switchgear is November 2024.

One Letter of Clarification (LOC) was issued. No Addendums were issued.

Bids were requested and opened at 2:00 p.m., C.S.T., Tuesday, December 14, 2023.

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

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Harold K Scholz Co	\$549,800.00	Yes	Yes
Myers Controlled Power LLC	\$779,029.00 ¹	Yes	Yes
¹ Delivery price was estimated.			

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPPO’s legal counsel noted that the proposal received from Myers Controlled Power, LLC submits exceptions and clarifications to the District’s contract documents for warranty and payment that must be evaluated by the District. This proposal also includes several revisions to the contract for this procurement, including a proposed supply bond. Those revisions do not render the proposal legally non-responsive to the RFP and may be accepted by the District.

T. R. Via
January 2, 2024
Page 2 of 2


OPPD's legal counsel noted that subject to the foregoing comments and the District's technical and economic evaluation, both proposals received in response to the District's RFP No. 6115 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.

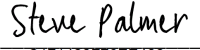

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The guaranteed delivery dates for both proposals did not meet the desired delivery date of the RFP, but the project schedule can be adjusted to accommodate the guaranteed delivery dates of the respondents. As such, both proposals were deemed to be technically responsive.

4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations and guaranteed delivery dates, it is recommended that RFP No. 6115 "15kV Metalclad Switchgear" be awarded to Harold K Scholz Co. for the amount of Five Hundred Forty-Nine Thousand, Eight Hundred Dollars (\$549,800.00).

DocuSigned by:

8A3AEF74476742A...
Shane Hanson, PE
Director Engineering
Utility Operations

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.D.T., Thursday, December 14th, 2023, in Omaha, Nebraska</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6115 15kV Metalclad Switchgear</p>		<p align="right">DocuSigned by:  C171422F76EE422... Director Supply Chain Management  5EC5B86907EE4F6 Compiled by and Certified Correct</p>		
<p align="center">Anticipated Award Date January 19, 2024</p>			<p align="center">BIDDER'S NAME & ADDRESS</p>		
<p align="center">ENGINEER'S ESTIMATE \$650,000.00</p>			<p align="center">Harold K Scholz 7800 Serum Ave Ralston, NE 68127</p>	<p align="center">Myers Controlled Power LLC 219E. Maple St., Suite 100/200E North Canton, OH 44720</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: 1.1. Firm base price to furnish, freight prepaid and included 15kV Metalclad Switchgear and other accessories fully wired as indicated on the Drawings and detailed in the Technical Specifications to Substation 1221, 3940 South 120th Street, Omaha, NE 68144. 1.2. Firm price to complete installation, including unloading, FOB foundation, anchoring, re-connecting wire and bus, and removing any shipping braces, per the Drawings and per Technical Specifications at Substation 1221, 3940 South 120th Street, Omaha, NE 68144. 1.3. Total lump sum price (Proposal Price(s) 1.1 + 1.2) to furnish, deliver and install Substation 1221 15kV Metalclad Switchgear:</p>	<p align="center"><u>\$540,000.00</u></p> <p align="center"><u>\$9,800.00</u></p> <p align="center"><u>\$549,800.00</u></p>	<p align="center"><u>\$680,369.00</u></p> <p align="center"><u>\$98,660.00</u></p> <p align="center"><u>\$779,029.00</u></p>			
<p>2. Completion Date Guarantee(s):</p> <table border="1" data-bbox="94 1339 751 1502"> <tr> <td>Proposal Article 1.1: November 18, 2024</td> </tr> <tr> <td>Proposal Article 1.2: November 25, 2024</td> </tr> </table>	Proposal Article 1.1: November 18, 2024	Proposal Article 1.2: November 25, 2024	<p align="center">Guaranteed Delivery Date</p> <p align="center"><u>February 18,2025</u></p> <p align="center"><u>February 25,2025</u></p>	<p align="center">Guaranteed Delivery Date</p> <p align="center"><u>June 26, 2025 see qte ltr</u></p> <p align="center"><u>July 2025 see qte ltr</u></p>	
Proposal Article 1.1: November 18, 2024					
Proposal Article 1.2: November 25, 2024					



Stephen M. Bruckner
ATTORNEY
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fraserstryker.com

December 19, 2023

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

RE: Request for Proposal No. 6115 – 15 kV Indoor Metalclad Switchgear

Ladies and Gentlemen:

We have reviewed the two (2) proposals received in response to the District's RFP No. 6115 and provide this legal opinion.

The proposal of Myers Controlled Power, LLC submits exceptions and clarifications to the District's contract documents for warranty and payment that must be evaluated by the District. This proposal also includes several revisions to the contract for this procurement, including a proposed supply bond. Those revisions do not render the proposal legally non-responsive to the RFP and may be accepted by the District.

Subject to the foregoing comments and the District's technical and economic evaluation, both proposals received in response to the District's RFP No. 6115 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,

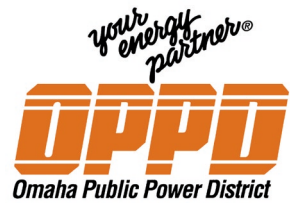
A handwritten signature in blue ink, appearing to read 'Stephen M. Bruckner', written over a light blue horizontal line.

Stephen M. Bruckner
FOR THE FIRM

SMB:nu
3112945

Fraser Stryker PC LLO

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



Moody/Via

RESOLUTION NO. 6625

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

**REQUEST FOR PROPOSAL (RFP) NO. 6115
15KV METALCLAD SWITCHGEAR**

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 Harold K Scholz Co. in the amount of \$549,800.00 for the procurement of 15kV metalclad switchgear to support the replacement of aging equipment in an existing substation to ensure reliable energy services pursuant to Request for Proposal No. 6115 is hereby accepted, and the form of payment and performance bond of such bidder is approved.