

Moody/Via

**RESOLUTION NO. 6656**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6149  
FALL 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 bid 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 Watts Electric Company in the amount of \$1,760,787.66 for the procurement of construction services pursuant to Request for Proposal No. 6149 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



**MEMORANDUM**

Date: August 1, 2024  
 From: S. J. Hanson  
 To: T. R. Via

RFP No. 6149  
 “Fall 2024 Transmission Construction”  
Analysis of Proposals

1.00 GENERAL

RFP No. 6149 was advertised for bid on June 13, 2024.

Contract scope of work includes a relocation of five (5) steel transmission structures for road widening in southwest Omaha. Sixty-seven (67) structure replacements at the end of their useful life, and installation of air flow spoilers to reduce icing concerns.

Construction is scheduled to begin September 16, 2024 and conclude December 20, 2024.

One (1) Letters of Clarification (LOC) were issued to provide clarification on the technical aspects of the project requested by the bidder. One (1) Addendum was issued to provide geotechnical information to the bidders.

Proposals were requested and opened at 2:00 p.m., C.S.T., Thursday, July 11, 2024.

Engineer’s Estimate was \$ 1,879,863.00.

Six (6) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
Watts Electric	\$ 1,760,787.66	Yes	Yes
The L.E. Myers Company	\$ 4,199,514.89	Yes	No
High Voltage	\$ 1,948,418.79	Yes	Yes
Brink Constructors Inc.	\$ 2,525,556.18	No	N/A
Ward Electric Company	\$ 3,428,626.34	Yes	Yes
Altitude Energy	\$ 3,769,798.31	Yes	No

T.R. Via  
August 1, 2024  
Page 2 of 2

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel deemed the proposal from Brink Constructors as legally non-responsive for proposing to use a previous contract for this procurement, and for that reason cannot be considered by the Board of Directors for the award of this contract.

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 Inc, Ward Electric Company, Altitude Energy, and Watts Electric Company 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.

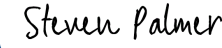

Altitude Energy is required to acknowledge receipt of Letter of Clarification No. 1 if its proposal is to receive further consideration.


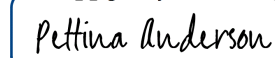
All remaining legally responsive proposals were deemed technically responsive.

## 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. 6149 Fall 2024 Transmission Construction be awarded to Watts Electric for the evaluated amount of One Million, Seven Hundred Sixty Thousand, Seven Hundred, Eighty-Seven Dollars and Sixty-Six Cents (\$1,760,787.66).

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

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Thursday,                  July 11, 2024, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 6149</b>  <b>Fall 2024 Transmission Construction</b></p> <p align="right">Page 1 of 2</p>			<p>DocuSigned by:                    C171422F70EE422...  <b>Director</b>                  Supply Chain Management                    8A15534EAB704CC...  <b>Compiled by and Certified Correct</b></p>							
<p align="center">Anticipated Award Date                  August 26, 2024</p>											
<p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$1,879,863.00</p>											
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>										
	<p align="center"><b>WATTS ELECTRIC COMPANY</b>                  13351 DOVERS STREET                  WAVERLY, NE 68462</p>	<p align="center"><b>BRINK CONSTRUCTORS INC</b>                  2950 NORTH PLAZA DRIVE                  RAPID CITY, SD 57702</p>	<p align="center"><b>HIGH VOLTAGE</b>                  PO BOX 428                  VERNAL, UT 84078</p>								
<p><b>1. Price Proposal:</b>                  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"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$1,760,787.66</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$2,525,556.18</u></p>	<p align="center"><b>SUPPLIER'S BID</b></p> <p align="center"><u>\$1,948,418.79</u></p>								
<p><b>2. Completion Date Guarantee(s):</b></p> <table border="1" data-bbox="118 1233 887 1704"> <tr> <td>Start Installations: September 16, 2024</td> </tr> <tr> <td> </td> </tr> <tr> <td>Complete Installations: December 31, 2024</td> </tr> <tr> <td> </td> </tr> <tr> <td> </td> </tr> <tr> <td> </td> </tr> <tr> <td> </td> </tr> <tr> <td> </td> </tr> </table>	Start Installations: September 16, 2024		Complete Installations: December 31, 2024						<p align="center"><b>Guaranteed Completion Date</b></p> <p align="center"><u>September 16, 2024</u></p> <p align="center"><u>December 31, 2024</u></p> <p align="center">-</p> <p align="center">-</p>	<p align="center"><b>Guaranteed Completion Date</b></p> <p align="center"><u>September 16, 2024</u></p> <p align="center"><u>December 31, 2024</u></p> <p align="center">-</p> <p align="center">-</p>	<p align="center"><b>Guaranteed Completion Date</b></p> <p align="center"><u>September 16, 2024</u></p> <p align="center"><u>December 31, 2024</u></p> <p align="center">-</p> <p align="center">-</p>
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<p align="center">Anticipated Award Date  <b>August 27, 2024</b></p>										
<p align="center"><b>ENGINEER'S ESTIMATE</b></p> <p align="center">\$1,879,863.00</p>										
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>									
	<p align="center"><b>THE L.E. MYERS</b>  <b>1405 JACKSON STREET</b>  <b>MARSHALLTOWN, IA 50158</b></p>	<p align="center"><b>WARD ELECTRIC COMPANY</b>  <b>9586 E I-25 FRONTAGE RD STE B</b>  <b>LONGMONT, CO 80504</b></p>	<p align="center"><b>ALTITUDE ENERGY</b>  <b>26400 I-76 FRONTAGE ROAD</b>  <b>PO BOX 359</b>  <b>KEENESBURG, CO 80643</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>							
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Complete Installations: December 31, 2024										



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

July 22, 2024

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

RE: Request for Proposal No. 6149 – Fall 2024 Transmission Construction (RFP No. 6149)

Ladies and Gentlemen:

We have reviewed the six (6) proposals received in response to the District's RFP No. 6149 and provide the following legal opinion.

The proposal of Brink Constructors proposes to use a previous contract (Contract No. 265965) for this procurement. I do not know the terms of that contract or whether they would be applicable to this procurement. In our opinion, the Brink proposal is legally non-responsive.

The proposal of L.E. Myers includes redlined revisions to the District's contract. The revisions are acceptable. L.E. Myers also needs to acknowledge receipt of Letter of Clarification No. 1 if its proposal is to receive further consideration.

The District should obtain clarification from Altitude Energy that it acknowledges receipt of the District's Letter of Clarification No. 1.

Subject to the foregoing comments and the District's technical and economic evaluation, all of the proposals, except the proposal of Brink Constructors, may be considered by the District's Board of Directors for the award of this contract.

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:sac  
3081101

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

August 13, 2024

### ITEM

Award RFP No. 6149 Fall 2024 Transmission Construction

### PURPOSE

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

### FACTS

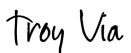
- a. Relocation of five (5) steel 161kV transmission structures for road widening project in southwest Omaha.
- b. Replace forty-five (45) wood 69kV structures and twenty-two (22) wood 345kV structures that are at the end of their useful life.
- c. Installation of Air Flow Spoilers on a 69kV transmission line to reduce icing concerns.
- d. Construction labor includes the following:
  - 1. Structure erection and framing.
  - 2. Installation of conductor and shield wire.
  - 3. Removal of existing structures, conductor, shield wires, and transmission line hardware.
- e. Six (6) proposals were received. Five (5) proposals are legally responsive. Three (3) of the five (5) legally responsive proposals are also technically responsive.
- f. Construction to begin in September 2024 and conclude in December 2024.
- g. The bid from Watts Electric Inc was evaluated to be the lowest and best bid.


### ACTION

Authorization by the Board to award a labor contract to Watts Electric in the amount of One Million, Seven Hundred Sixty Thousand, Seven Hundred Eighty-Seven Dollars and Sixty-Six Cents (\$1,760,787.66) for the procurement of construction services to construct and modify the aforementioned transmission lines based on the evaluation of RFP No. 6149 Fall 2024 Transmission Construction.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

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

DocuSigned by:  
  
 AC399FDGE56247E...  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:sjh

Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution