

Williams/Via

RESOLUTION NO. 6703

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

**REQUEST FOR PROPOSAL (RFP) NO. 6180
SARPY COUNTY STATION UNIT 3 EXHAUST STACK SILENCER REPLACEMENT**

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's Board of Directors to reject proposals if they are not responsive to the Request for Proposal, and to authorize Management to pursue a negotiated contract; and

WHEREAS, the Board of Directors concurs with management's recommendation that all the proposals for RFP No. 6180 are legally or technically non-responsive.

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. 6180 are rejected and Management is authorized to negotiate and enter into a contract or contracts for the design, fabrication, site delivery requirements, and installation of new exhaust stack silencer replacement panels for Sarp County station Unit 3, subject to review and approval of the final contract(s) by the District's General Counsel.



DATE: April 3, 2025

UO-2025-004

FROM: S.A. Eidem

TO: T. R. Via

SUBJECT: Sarpy County Station Unit 3 Exhaust Stack Silencer Replacement

1.00 GENERAL

Request for Proposal (RFP) No. 6180 is for the design, fabrication, site delivery requirements, and installation contract for replacement of the exhaust stack silencer panels at Sarpy County Station Unit 3.

The existing exhaust stack for Sarpy County Station Unit 3 is original equipment installed in 1996 with a 20-year life expectancy. This exhaust stack has been inspected and determined to have normal degradation from thermal cycling. Industry experience indicates this type of damage may pose a safety risk to personnel and equipment. Failure of the silencer panels can also block exhaust flow restricting unit operation. Replacement of the exhaust stack silencer panels will ensure reliable operation, resilient grid support, and continued accredited capacity for the OPPD generation portfolio.

The RFP was advertised on January 15, 2025. Two Letters of Clarification and two Addendums were issued. Bids were received and opened on March 13, 2025. Four companies submitted bids. The Engineer's estimate for this work was \$1,900,000. The bid prices are as follows:

Braden Americas, Inc.	\$1,674,814
Durr Universal, Inc.	\$1,957,461
Schock Manufacturing	\$2,500,000
Traylor Industrial, LLC	\$2,686,731

2.00 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

OPPD's legal counsel noted the proposal provided by Braden Americas, Inc. ("Braden") was an incomplete proposal that did not include pricing for a payment and performance bond or freight. As a result, the Braden proposal is legally non-responsive, and the Board should not consider such proposal for the award of this contract.

T.R. Via
April 3, 2025
Page 2 of 2

OPPD's legal counsel noted the proposal provided by Durr Universal, Inc. ("Durr") includes commercial terms which would allow for modifications and adjustments to price and schedule that make the proposal legally non-responsive and such proposal should not receive further consideration from the Board.

OPPD's legal counsel noted the proposals provided by Schock Manufacturing ("Schock") and Traylor Industrial, LLC ("Traylor") include commercial and technical exceptions that should be reviewed and evaluated by the District.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The bid from Braden does not meet the technical requirements. All costs asked for in the RFP were not included. Additionally, payment terms specified by OPPD were not agreed to.

The bid from Durr does not meet the technical requirements. The material specified in the bid was an upgrade from the requested material. All costs asked for in the RFP were not included. Additionally, liquidated damage terms were revised.

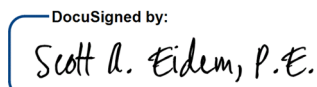
The bid from Schock Manufacturing does not meet the technical requirements. The material specified in the bid was an upgrade from the requested material.



The bid from Traylor does not meet the technical requirements. The changed design of the silencer panels could result in an air permit change. The schedule for completing the work starts earlier than specified and OPPD cannot accommodate the change.


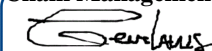
Subject to the foregoing comments and the District's technical and economic evaluation, none of the four (4) proposals received in response to RFP No. 6180 may be considered by the District's Board of Directors for the award of this contract.

4.00 RECOMMENDATION

Based on non-compliance with the technical requirements of this RFP, it is recommended that the proposals received for RFP No. 6180 be rejected by the Board of Directors and that District Management be authorized to enter into a negotiated contract.

DocuSigned by:

6FFDE74FFFE149D...
S.A. Eidem, P.E.
Director, Engineering Services
Utility Operations

TABULATION OF BIDS Opened at 2:00 p.m., C.S.T., Thursday, March 13, 2025, in Omaha, Nebraska		REQUEST FOR PROPOSAL NO. 6180 Sarpy County Station Unit 3 Exhaust Silencer Replacement		Signed by:  <small>C171422F76EE422...</small> Director Supply Chain Management Digitally signed by  <small>5EC5B86907EE4F6</small> Compiled by and Certified Correct			
Anticipated Award Date April 17, 2025							
ENGINEER'S ESTIMATE \$1,900,000.00							
BID ITEM		BIDDER'S NAME & ADDRESS					
		Braden Americas Inc 801 International Parkway Lake Mary, FL 32746		Durr Universal, Inc 1925 Hwy 51-138 Stoughton, WI 53589		Schock Manufacturing 6901 N 115th E Ave Owasso OK 74005	
		SUPPLIER'S BID		SUPPLIER'S BID		SUPPLIER'S BID	
1.	<u>Proposal Price(S)</u> SC3 Exhaust Silencer Replacement Lump Sum Firm Price	<u>\$1,674,814.00</u>		<u>\$1,957,461.00</u>		<u>\$2,500,000.00</u>	
2.	<u>Completion Guarantee(s)</u> SC3 Exhaust Silencer Replacement May 30, 2026	<u>Guaranteed Completion Date</u> <u>May 30, 2026</u>		<u>Guaranteed Completion Date</u> <u>May 30, 2026</u>		<u>Guaranteed Completion Date</u> <u>May 30, 2026</u>	

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Anticipated Award Date April 17, 2025					
ENGINEER'S ESTIMATE \$1,900,000.00					
BID ITEM		BIDDER'S NAME & ADDRESS			
		Traylor Industrial, LLC 835 North Congress Avenue Evansville IN 47715			
		SUPPLIER'S BID	SUPPLIER'S BID	SUPPLIER'S BID	
1.	<u>Proposal Price(S)</u> SC3 Exhaust Silencer Replacement Lump Sum Firm Price	<u>\$2,686,731.00</u>			
2.	<u>Completion Guarantee(s)</u> SC3 Exhaust Silencer Replacement May 30, 2026	<u>Guaranteed Completion Date</u> <u>May 30, 2026</u>	<u>Guaranteed Completion Date</u>	<u>Guaranteed Completion Date</u>	



Troy F. Meyerson
ATTORNEY
402.978.5347
tmeyerson@fraserstryker.com
fraserstryker.com

April 15, 2025

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

RE: Request for Proposal No. 6180 – Sarpy County Station Unit 3 Exhaust Stack Silencer Replacement ("RFP No. 6180")

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to RFP No. 6180 and provide the following opinion.

The proposal for Braden Americas Inc. ("Braden") submitted an incomplete proposal that did not include pricing for a payment and performance bond pricing or freight. As a result, the Braden proposal is legally non-responsive and the Board should not consider such proposal for the award of this contract.

The proposal for Traylor Industrial, LLC ("Traylor") includes technical and commercial exceptions that should be evaluated by the District.

The proposal for Schock Manufacturing ("Schock") includes technical and commercial exceptions that should be evaluated by the District.

The proposal for Durr Universal, Inc. ("Durr") includes commercial terms which would allow for modifications and adjustments to price and schedule that make the proposal legally non-responsive and such proposal should not receive further consideration from the District.

Subject to the foregoing comments and the District's technical and economic evaluation, two (2) of the four (4) proposals received in response to RFP No. 6180 may be considered by the District's Board of Directors for the award of this contract. The bond of the successful bidder must be approved by the Board of Directors.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Troy F. Meyerson', followed by a horizontal line.

Troy F. Meyerson
FOR THE FIRM

Fraser Stryker PC LLO

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



Action Item

April 15, 2025

ITEM

Sarpy County Station Unit 3 Exhaust Stack Silencer Replacement

PURPOSE

Board of Directors' authorization to reject all bids received for RFP No. 6180 and for the District to enter into a negotiated contract for the design, fabrication, site delivery requirements, and installation of new exhaust stack silencer replacement panels for Sarpy County Station Unit 3.


FACTS

- a. The existing exhaust stack has a 20-year life expectancy and is original equipment installed in 1996. Recent inspection has shown degradation of the exhaust stack silencer panels creating risks for continued safe and reliable operation.
- b. Replacing the existing exhaust stack silencer panels is warranted to ensure reliability of the units going forward.
- c. Four bids were received. All bids were determined to be technically non-responsive and two bids were determined to be legally non-responsive.

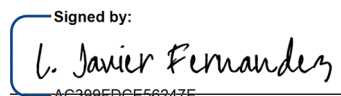
ACTION

Authorization by the Board to reject all proposals received for RFP No. 6180 and allow District Management to enter a negotiated contract for replacement of the exhaust stack silencer panels for Sarpy County Station Unit 3.

RECOMMENDED:

Signed by:

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

APPROVED FOR BOARD CONSIDERATION:

Signed by:

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

Attachments: Letter of Recommendation
Tabulation of Bids
Legal Opinion
Resolution