

Williams/Via

RESOLUTION NO. 6724

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

**REQUEST FOR PROPOSAL (RFP) NO. 6196
CASS TO SARPY TRANSMISSION CONSTRUCTION PROJECT**

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 Brink Constructors Inc. in the amount of \$26,690,523.92 for the procurement of construction services to construct and modify the transmission lines pursuant to Request for Proposal No. 6196 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



Date: August 1, 2025
From: Shane Hanson
To: Troy Via

Analysis of Proposals

RFP NO. 6196 CASS TO SARPY TRANSMISSION CONSTRUCTION PROJECT

GENERAL

RFP No. 6196 was advertised for bid on May 08, 2025.

Contract Scope of Work (SOW) includes construction of twenty-three (23) miles of new 345kV transmission line to connect our substation at Turtle Creek Station in Sarpy County to our substation at Cass County Station. Ten (10) miles of 69kV transmission lines will be rebuilt as double circuit with the new 345kV line along the route.

Construction is scheduled to begin in October 1, 2025 and conclude by December 31, 2026.

Two (2) Letters of Clarification (LOC) were issued to provide clarification on the contractual and technical aspects of the project requested by the bidders. Two (2) Addendum were also issued to extend the bidding window, provide updated technical information and bid units on the bid forms. Furthermore, the district Engineering and Supply Chain group hosted a one (1) hour virtual pre-bid meeting on May 20, 2025 to present the project to the bidders and answer questions.

Proposals were requested and opened at 14:00, C.S.T, July 10, 2025.

Engineer's estimate was \$46,006,800.00.

Nine (9) proposals were received in total. The proposals received are summarized in the table below:

Table 1- BIDDERS AND PROPOSALS RECEIVED LIST ¹

BIDDER ¹	LUMP SUM PRICE	LEGALLY RESPONSIVE	TECHNICALLY RESPONSIVE
Integrated Power Co.	\$26,001,509.210	YES	YES
Brink Constructors, Inc.	\$26,690,523.920	YES	YES
Watts Electric Co.	\$28,188,859.316	YES	YES
L.E. Myers Co.	\$29,168,061.690	YES	YES
High Voltage Inc.	\$30,513,833.700	YES	YES
Ward Electric Company, Inc.	\$31,015,078.870	YES	YES
East Coast Powerline, LLC	\$32,792,318.820	YES	YES
Intren, LLC	\$50,192,662.08	NO	YES
Kiewit Energy Group, Inc	\$117,435,625.00	NO	NO

COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel noted that Kiewit Energy Group includes a document that suggests negotiation of the acceptable terms and conditions for the construction contract. This RFP is a statutory sealed bid procurement, and contract terms cannot be negotiated after bid opening. This proposal from Kiewit is deemed legally non-responsive.

OPPD's legal counsel noted that Intren Proposal was incomplete and therefore legally non-responsive.

OPPD's legal counsel noted that the proposal 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 remaining proposals were deemed legally responsive.

COMPLIANCE WITH TECHNICAL REQUIREMENTS.

All remaining proposals that were deemed legally responsive, Integrated Power Co., Brink Constructors, Watts Electric Co, L.E. Myers Inc., High Voltage Inc., Ward Electric Company LLC., and East Coast Powerline LLC., were reviewed and deemed technically responsive.

¹ Proposals sorted ascending by the lump sum firm price.



Technical Evaluation Criteria

OPPD evaluates bids by scoring three main categories: Financial, Vendor Qualifications, and Bid Quality. A composite score of the three categories is used to determine which bid is in the best interest of OPPD's customer owners. The Financial category is scored by statistical analysis of the bids received with the lowest bid being assigned the maximum points. The Vendor Qualifications category is scored by considering vendor experience in the specific type of project being bid, three-year safety record, personnel qualifications, equipment resources, and references from past project work. The Bid Quality category is scored by the completeness of the proposal, any exceptions made to the scope of work or technical requirements, proposed schedule, and being legally responsive.

The evaluation occurs with a committee comprised of OPPD's personnel and subject matter experts in transmission projects. The final score for each vendor is an aggregate of weighted score given by the committee members.

Table 2- Vendor Evaluation Normalized Scores

Rank	Sorted Point	Contractor
1	92.975	Brink
2	85.000	ECP Line
3	75.762	Watts Electric
4	71.682	High Voltage
5	66.432	IPC
6	56.942	LE Myers
7	48.365	Ward Electric

RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, Financial and non-Financial and Proposal Qualitative evaluations performed, and guaranteed completion dates, it is recommended that RFP NO. 6196 Cass to Sarpy Transmission Construction Project be awarded to Brink Constructors, Inc in the amount of Twenty-Six Million, Six Hundred Ninety Thousand, Five Hundred Twenty-Three Dollars, and Ninety-Two Cents (\$26,690,523.92) .

Signed by:

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Shane Hanson

Director of Engineering, Utility Operations

<div>TABULATION OF BIDS</div> <div>Opened at 2:00 p.m., C.S.T.</div> <div>Tuesday, July 10, 2025, in Omaha, Nebraska</div>	<div>REQUEST FOR PROPOSAL NO. 6196</div> <div>Cass-Sarpy Transmission Construction Project</div>			<div>Signed by:</div> <div>Steve Palmer</div> <div>Director</div> <div>Supply Chain Management</div> <div>Tony Antey</div> <div>Compiled by and Certified Correct</div>
<div>Anticipated Award Date</div> <div>August 22, 2025</div>	<div>Page 1 of 3</div>			
<div>ENGINEER'S ESTIMATE</div> <div>\$46,006,800.00</div>				
<div>BID ITEM</div>	<div>BIDDER'S NAME & ADDRESS</div>			
	<div>Integrated Power Co.</div> <div>2100 E 4th Street PO Box 1743</div> <div>North Platte, NE 69103</div>	<div>Brink Constructors, Inc.</div> <div>2950 N. Plaza Dr.</div> <div>Rapid City, SD 57702</div>	<div>Watts Electric Company</div> <div>13351 Dovers Street</div> <div>Waverly, NE 68462</div>	
	<div>SUPPLIER'S BID</div>	<div>SUPPLIER'S BID</div>	<div>SUPPLIER'S BID</div>	
<div>1. Price Proposal:</div> <div>Lump Sum Firm Price (Contract Price) to perform all Work as specified.</div>	<div>\$26,001,509.21</div>	<div>\$26,690,523.92</div>	<div>\$27,900,231.23</div>	
<div>2. Start/Completion Dates:</div> <div>Desired Start/Completion Dates:</div> <div>Line 7- CKT 645 Start: Octobert 22, 2025</div> <div>Line 7- CKT 645 Completion: May 6, 2026</div> <div>Project Entirety Start: October 22, 2025</div> <div>Project Entirety Completion: December 12, 2026</div>	<div>Guaranteed Start/Completion Date</div> <div>October 22, 2025</div> <div>May 6, 2025</div> <div>October 22, 2025</div> <div>December 12, 2026</div>	<div>Guaranteed Start/Completion Date</div> <div>October 22, 2025</div> <div>May 6, 2026</div> <div>October 22, 2025</div> <div>December 12, 2026</div>	<div>Guaranteed Start/Completion Date</div> <div>October 22, 2025</div> <div>May 6, 2026</div> <div>October 22, 2025</div> <div>December 12, 2026</div>	

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.S.T. Tuesday, July 10, 2025, in Omaha, Nebraska</p> <p align="center">Anticipated Award Date August 22, 2025</p> <p align="center">ENGINEER'S ESTIMATE</p> <p align="center">\$46,006,800.00</p>	<p align="center">REQUEST FOR PROPOSAL NO. 6196 Cass-Sarpy Transmission Construction Project</p> <p align="right">Page 2 of 3</p>			
<p align="center">BID ITEM</p>	<p align="center">BIDDER'S NAME & ADDRESS</p>			
	<p align="center">The L.E. Myers Company 1405 Jackson St. Marshalltown, IA 50158</p>	<p align="center">High Voltage INC. P.O. Box 428 Vernal UT, 84078</p>	<p align="center">Ward Electric Company, Inc. 9586 E. I-25 Frontage Rd, Suite B Longmont, CO 80504</p>	
<p>1. <u>Price Proposal:</u></p> <p>Lump Sum Firm Price (Contract Price) to perform all Work as specified.</p> <p>2. <u>Start/Completion Dates:</u></p> <p>Desired Start/Completion Dates:</p> <p>Line 7- CKT 645 Start: Octobert 22, 2025</p> <p>Line 7- CKT 645 Completion: May 6, 2026</p> <p>Project Entirety Start: October 22, 2025</p> <p>Project Entirety Completion: December 12, 2026</p>	<p align="center"><u>\$29,168,061.69</u></p> <p align="center"><u>Guaranteed Start/Completion Date</u></p> <p align="center"><u>October 22, 2025</u></p> <p align="center"><u>May 6, 2026</u></p> <p align="center"><u>October 22, 2025</u></p> <p align="center"><u>December 12, 2026</u></p>	<p align="center"><u>\$30,513,833.70</u></p> <p align="center"><u>Guaranteed Start/Completion Date</u></p> <p align="center"><u>October 22, 2025</u></p> <p align="center"><u>May 6, 2026</u></p> <p align="center"><u>December 22, 2025</u></p> <p align="center"><u>December 12, 2026</u></p>	<p align="center"><u>\$31,015,788.87</u></p> <p align="center"><u>Guaranteed Start/Completion Date</u></p> <p align="center"><u>October 22, 2025</u></p> <p align="center"><u>May 6, 2026</u></p> <p align="center"><u>October 22, 2025</u></p> <p align="center"><u>December 12, 2026</u></p>	

TABULATION OF BIDS Opened at 2:00 p.m., C.S.T. Tuesday, July 10, 2025, in Omaha, Nebraska	REQUEST FOR PROPOSAL NO. 6196 Cass-Sarpy Transmission Construction Project Page 3 of 3			
Anticipated Award Date August 22, 2025				
ENGINEER'S ESTIMATE \$46,006,800.00				
BID ITEM	BIDDER'S NAME & ADDRESS			
	East Coast Powerline LLC 120 Industrial Park Ln Celina, TN 38551	Intren, LLC 18202 W. Union Road Union, IL 60180	Kiewit Energy Group Inc. 1550 Mike Fahey St. Omaha, NE 68102	
1. Price Proposal: Lump Sum Firm Price (Contract Price) to perform all Work as specified. 2. Start/Completion Dates: Desired Start/Completion Dates: Line 7- CKT 645 Start: Octobert 22, 2025 Line 7- CKT 645 Completion: May 6, 2026 Project Entirety Start: October 22, 2025 Project Entirety Completion: December 12, 2026	<u>\$32,792,318.82</u> <u>Guaranteed Start/Completion Date</u> <u>September 1, 2025</u> <u>April 28, 2026</u> <u>September 10, 2025</u> <u>November 9, 2026</u>	<u>\$50,192,662.08</u> <u>Guaranteed Start/Completion Date</u> <u>No Response</u> <u>No Response</u> <u>No Response</u> <u>No Response</u>	<u>\$117,435,625.00</u> <u>Guaranteed Start/Completion Date</u> <u>September 10, 2025</u> <u>November 2, 2026</u> <u>September 25, 2025</u> <u>December 31, 2026</u>	

July 17, 2025

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

RE: Request for Proposal No. 6196 – Cass-Sarpy Transmission Line Construction
("RFP No. 6196")

Ladies and Gentlemen:

We have reviewed the nine (9) proposals received in response to the District's RFP No. 6196 and provide the following legal opinion.

The proposal of Kiewit Energy Group includes a document entitled "construction contract term sheet" which contemplates the negotiation of acceptable terms and conditions for the construction contract if Kiewit is awarded the contract. This is a statutory sealed bid procurement and, therefore, contract terms cannot be negotiated after bid opening. For this reason, the Kiewit proposal is legally non-responsive and cannot be considered for the award of RFP No. 6196.

The proposal of Intren did not include pricing, completion dates, or a signed proposal form. Further, Intren submitted revisions to the District's Construction Services Agreement that are legally unacceptable. The Intren proposal is legally non-responsive and cannot be considered for the award of RFP No. 6196.

The proposal of L.E. Myers Co. includes revisions to the Construction Services Agreement. Those revisions are legally acceptable and the L.E. Myers proposal may be considered for the award of RFP No. 6196.

The remaining proposals are legally acceptable.

Subject to the District's technical and economic evaluation, all of the proposals other than those from Kiewit and Intren may be considered by the District's Board of Directors for the award of RFP No. 6196. The bond of the successful bidder also must be approved by the Board.

July 17, 2025
Page 2

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner", with a stylized, flowing script.

Stephen M. Bruckner
FOR THE FIRM

SMB:sac
3081101



Omaha Public Power District
BOARD OF DIRECTORS

Action Item

August 19, 2025

ITEM

Award RFP No. 6196 Cass to Sarpy Transmission Construction Project

PURPOSE

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

FACTS

- a. Constructing twenty-three (23) miles of a new 345kV transmission line.
- b. Rebuilding approximately ten (10) miles of existing 69kV circuits along the route with the new 345kV line.
- c. Construction labor includes:
 - i. Structure erection and framing
 - ii. Installation of wires
 - iii. Removal of existing structures, conductor, shield wires, and transmission line hardware
- d. Nine (9) proposals were received. Seven (7) proposals were legally responsive and of those all seven (7) are technically responsive.
- e. Construction to begin in October 2025 and conclude tentatively in December 2026.
- f. The proposal from Brink Constructors Inc. was evaluated to be the best proposal among the acceptable proposals.

ACTION

Authorization by the Board to award a labor contract to Brink Constructors Inc. in the amount of Twenty-Six Million, Six Hundred Ninety Thousand, Five Hundred Twenty-Three Dollars, and Ninety-Two Cents (\$26,690,523.92) for the procurement of construction services to construct and modify the transmission lines based on the evaluation of RFP No. 6196 Cass to Sarpy Transmission Construction Project.

RECOMMENDED:

Signed by:

Troy R. Via

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Troy R. Via

Chief Operating Officer and Vice
President, Utility Operations

APPROVED FOR BOARD CONSIDERATION:

Signed by:

L. Javier Fernandez

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L. Javier Fernandez

President and Chief Executive Officer

Attachments:

Analysis of Proposals
Tabulation of Bids
Legal Opinion
Resolution