



Moody/Via

**RESOLUTION NO. 6609**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6096  
NORTHWEST OMAHA 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 Inc. in the amount of \$3,546,600.23 for the procurement of construction services to construct and modify the transmission lines pursuant to Request for Proposal No. 6096 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



Date: October 31, 2023

From: S.J. Hanson

To: T. R. Via

RFP No. 6096  
 “Northwest Omaha Transmission Construction”  
Analysis of Proposals

1.00 GENERAL

RFP No. 6096 was advertised for bid on September 14, 2023.

The scope of the contract encompasses constructing new electrical transmission lines and substations to connect to OPPD transmission network in the Northwest Omaha for an economic development customer.

Construction is scheduled to begin December 6, 2023 and conclude second quarter of 2024.

One (1) Letter of Clarification (LOC) and one (1) RFP addendum were issued to provide clarification on outage schedule, and technical aspects of the project.

Proposals were requested and opened at 2:00 p.m., C.D.T., Thursday, October 12, 2023.

Engineer’s Estimate was \$ 3,850,000.00.

Seven (7) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price (\$)	Legally Responsive	Technically Responsive
High Voltage Inc.	3,546,600.23	YES	YES
Brink Constructors Inc.	4,187,441.14	NO	YES
Watts Electric Company	4,413,119.18	YES	YES
L.E. Myers Company	4,614,882.10	YES	NO
Ward Electric Company Inc.	4,903,959.90	YES	NO
Integrated Power Co.	6,107,819.55	YES	YES
Altitude Energy, LLC.	8,092,556.04	YES	YES

T.R. Via  
October 31, 2023  
Page 2 of 2

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel noted that Brink Constructors states that final quantities for the RFP are subject to change and not firm. The Brink Constructors also proposes to use a previous contract document for procurement. The Brink Constructors proposal is deemed legally non-responsive.

The L.E. Myers company proposal takes revisions and exceptions to contract terms. The revisions do not render the proposal legally non-responsive but are subject to District's evaluation.

The legal counsel advised the District to obtain letter of clarification from High Voltage, Inc., and Altitude Energy in regard to acknowledging the receipt of addendum and LOCs during the RFP. These letters of clarifications were received by the District.

The remaining proposals were legally responsive. Subject to the District's technical and economic evaluation, all proposals, except the proposal of Brink Constructors, could be considered by the District's Board of Directors for the award of this contract.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

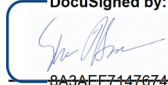
The proposals received from Brink Constructors Inc., Integrated Power Co., Watts Electric, High Voltage Inc., and Altitude Energy, LLC, were deemed to be technically responsive.

The proposal from Ward Electric Company, Inc., took several exceptions Technical Specifications and exclusion to the scope of work. It was evaluated that those exceptions subjectively change the basis of the contract document to warrant the proposal to be deemed technically nonresponsive.



The proposal from L.E. Myers Company took several exceptions to the Technical Specifications and Special Conditions in the contract document. After evaluation, it was determined that those exceptions subjectively change the basis of the contract document to warrant the proposal to be deemed technically nonresponsive.



## 4.00 RECOMMENDATION

Based on compliance with the legal and technical requirements of the specifications, cost evaluations performed, guaranteed completion dates, and historical performance with OPPD, it is recommended that RFP No. 6096 Northwest Omaha Transmission Construction be awarded to High Voltage Inc. for the evaluated amount of Three Million, Five Hundred Forty-Six Thousand, Six Hundred Dollars and Twenty-Three Cents (\$3,546,600.23).

DocuSigned by:  
  
8A3AEF74476742A...  
Shane J. Hanson, P.E.  
Director Engineering  
Utility Operations

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.D.T., Thursday,                  October 12, 2023, in Omaha, Nebraska</p>	<p align="center"><b>REQUEST FOR PROPOSAL NO. 6096</b>  <b>Northwest Omaha Transmission Construction</b></p> <p align="right">Page 1 of 3</p>			<p>DocuSigned by:  <i>Steven Palmer</i>  <small>C171422F76EE422...</small>                  Director                  Supply Chain Management  <i>Pettina Anderson</i>  <small>8A15534EAB784CC...</small>                  Compiled by and Certified Correct</p>
<p align="center">Anticipated Award Date                  November 17, 2023</p>				
<p align="center">ENGINEER'S ESTIMATE                   \$3,850,000.00</p>				
<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>			
	<p align="center">Brink Constructors, Inc.                  2950 North Plaza Drive                  Rapid City, SD 57702</p>	<p align="center">Integrated Power Co.                  PO Box 1743                  North Platte, NE 69103</p>	<p align="center">Watts Electric Co                  13351 Dovers Street                  Waverly, NE 68462</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"><u>\$4,187,441.14</u></p>	<p align="center"><u>\$6,107,819.55</u></p>	<p align="center"><u>\$4,413,119.18</u></p>	
<p><b>2. Completion Date Guarantee(s):</b>                  Start Installations: December 6, 2023</p>	<p align="center"><u>Guaranteed Completion Date</u>   <u>December 6, 2023</u></p>	<p align="center"><u>Guaranteed Completion Date</u>   <u>December 6, 2023</u></p>	<p align="center"><u>Guaranteed Completion Date</u>   <u>December 6, 2023</u></p>	
<p>Complete Installations: April 12, 2024</p>	<p align="center"><u>May 1, 2024</u></p>	<p align="center"><u>April 12, 2024</u></p>	<p align="center"><u>April 12, 2024</u></p>	
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<p align="center"><b>BID ITEM</b></p>	<p align="center">Ward Electric Company, Inc.                  9586 E. I-25 Frontage Road, Ste B.                  Longmont, CO 80504</p>	<p align="center">The L.E. Myers Company                  1405 Jackson Street                  Marshalltown, IA 50158</p>	<p align="center">High Voltage Inc.                  PO Box 428                  Vernal, UT 84078</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>	
<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"><u>\$4,903,959.90</u></p>	<p align="center"><u>\$4,614,882.10</u></p>	<p align="center"><u>\$3,546,600.23</u></p>	
<p><b>2. Completion Date Guarantee(s):</b></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>	
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<p align="center"><b>BID ITEM</b></p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>										
	<p align="center">Altitude Energy                  26400 I-76 Frontage Road                  Keenesburg, CO 80643</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>								
<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"><u>\$8,092,556.04</u></p>	<p align="center">-</p>	<p align="center">-</p>								
<p><b>2. Completion Date Guarantee(s):</b></p> <table border="1" data-bbox="176 1248 917 1713"> <tr> <td>Start Installations: December 6, 2023</td> </tr> <tr> <td> </td> </tr> <tr> <td>Complete Installations: April 12, 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: December 6, 2023		Complete Installations: April 12, 2024						<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center"><u>December 6, 2023</u></p> <p align="center"><u>May 1, 2024</u></p> <p align="center">-</p> <p align="center">-</p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">-</p> <p align="center">-</p> <p align="center">-</p> <p align="center">-</p>	<p align="center"><u>Guaranteed Completion Date</u></p> <p align="center">-</p> <p align="center">-</p> <p align="center">-</p> <p align="center">-</p>
Start Installations: December 6, 2023											
Complete Installations: April 12, 2024											

October 19, 2023

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

RE: Request for Proposal No. 6096 – Northwest Omaha Transmission Construction  
(RFP No. 6096)

Ladies and Gentlemen:

We have reviewed the seven (7) proposals received in response to the District's RFP No. 6096 and provide the following legal opinion.

The proposal of Brink Constructors states that final quantities for the RFP are subject to change. This statement means that the proposal is not firm and, therefore, it may not be considered by the Board of Directors for the award of this RFP. I will note that Brink also 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. Generally, bidders should not propose to utilize past contracts for new procurements.

The proposal of L.E. Myers includes redlined revisions to the District's contract. The revisions are acceptable. L.E. Myers also includes clarifications to its proposal which must be evaluated by the District.

With respect to the proposal of High Voltage, Inc., the District needs to obtain a letter of clarification from the bidder acknowledging receipt of addendum no. 1. Also, the District should obtain clarification on the starting date; High Voltage used the same date for starting as for completion, which I assume is merely a typographical error.

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.

October 19, 2023  
Page 2

Very truly yours,



Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
3081101





# Board Action

## BOARD OF DIRECTORS

November 14, 2023

### ITEM

Award RFP No. 6096 Northwest Omaha Transmission Construction

### PURPOSE

Board of Directors authorization to award a contract for construction services regarding transmission construction due to expansion in Northwest Omaha.


### FACTS

- a. Constructing and building new transmission lines to connect a new OPPD substation into the transmission network.
- b. Construction labor includes the following:
  - 1. Foundation construction, structure erection, and structure framing.
  - 2. Installation of conductor, shield wire, and fiber optic ground wire.
  - 3. Removal of existing structures, conductor, shield wires, and transmission line hardware.
- c. Seven (7) proposals were received. Six (6) proposals are legally responsive, and five (5) are technically responsive.
- d. Construction to begin in December 2023 and conclude second quarter 2024.
- e. The proposal from High Voltage Inc. was evaluated to be the lowest and best proposal.


### ACTION

Authorization by the Board to award a labor contract to High Voltage Inc. in the amount of Three Million, Five Hundred Forty-Six Thousand, Six Hundred Dollars and Twenty-Three Cents (\$3,546,600.23) for the procurement of construction services to construct and modify the transmission lines based on the evaluation of RFP No. 6096 Northwest Omaha Transmission Construction.

### RECOMMENDED:

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

### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 AC389FDCE50247E...  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:sjh

- Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution