



OPPD BOARD OF DIRECTORS
ALL COMMITTEE MEETING MINUTES

December 19, 2023

The regular committee meetings of the Board of Directors of the Omaha Public Power District (“OPPD” or “District”) were held in person with public accessibility both in person and via WebEx audio and video conference on Tuesday, December 19, 2023. The meeting opened at 8:00 a.m.

Present in person were Directors A. E. Bogner, M. J. Cavanaugh, M, S. E. Howard, J. M. Mollhoff, C. C. Moody, M. G. Spurgeon and E. H. Williams. M.R. Core joined the meeting at 8:05 a.m. Also present in person were L. J. Fernandez, President and Chief Executive Officer, and Messrs. S. M. Bruckner and T. F. Meyerson of the Fraser Stryker law firm, General Counsel for the District. Executive leadership team members present in person included: J. M. Bishop, K. W. Brown, C. V. Fleener, S. M. Focht, T. D. McAreavey, K.S. McCormick, L. A. Olson, M. V. Purnell, B. R. Underwood and T. R. Via. Chair E. H. Williams presided and E. H. Lane, Sr. Board Operations Specialist, recorded the minutes.

Committee Agenda Item 1: Board Chair Opening Statement

Chair Williams gave a brief opening statement, including an announcement regarding public notice of meeting, which was publicized by notifying the area news media¹; by publicizing same in the Omaha World Herald², OPPD Outlets newsletter, oppd.com and social media; by displaying such notice on the Arcade Level of Energy Plaza; and by emailing such notice to each of the District’s Directors on December 15, 2023. He also provided reminders for using the WebEx audio and video conferencing platform. He noted the Board would conduct a closed session to discuss two topics (i) Near Term Generation Update; and (ii) Enterprise Risk Management Quarterly Update.

¹ News outlets that received OPPD Board meeting notification emails included: 1. KETV; 2. WOWT; 3. KMTV; 4. KPTM; 5. Telemundo Nebraska; 6. Nebraska Public Media (NET-TV); 7. NewsChannel Nebraska; 8. KFAB; 9. KOIL 1290 AM; 10. KIOS 91.5 FM – Nebraska Public Radio (Omaha); 11. Radio Lobo – 97.7 FM (Omaha); 12. Boomer Blair 97.3 FM (Blair); 13. KHUB 1340 AM/KFMT 101.5 FM (Fremont); 14. Sunny 101.3 FM (Falls City); 15. Omaha World Herald; 16. Washington County Enterprise & Blair Pilot Tribune; 17. Lincoln Journal Star; 18. Omaha Daily Record; 19. Omaha Star; 20. Douglas County Post-Gazette; 21. Papillion Times; 22. Bellevue Leader; 23. Midlands Business Journal; 24. Ralston Recorder; 25. Sarpy Guide and News; 26. Pawnee Republican; 27. Tecumseh Chieftain; 28. Ashland Gazette; 29. Wahoo Newspaper; 30. Nebraska City News Press; 31. Cassgram (Cass County online news publication); and 32. Associated Press.

² Public notice of meeting was published in the print version of the *Omaha World Herald* newspaper on December 12, 2023, and in the online version from December 12 through December 19, 2023.

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Committee Agenda Item 2: Closed Session

At 8:01 a.m. Director Moody moved that the Board go into Closed Session. Director Moody stated as follows:

“I move that the Board go into closed session at this time 8:01 a.m. to discuss two topics: (i) Near Term Generation Update; and (ii) Enterprise Risk Management Quarterly Update.

*With respect to the **Near Term Generation Update** a closed session is necessary for the protection of the public interest because the discussion involves sensitive utility infrastructure information, confidential cost information, and potential resource acquisition strategies, the disclosure of which would disadvantage the District in future negotiations with potential contractors.*

*With respect to the **Enterprise Risk Management Quarterly Update** a closed session is necessary for the protection of the public interest because the discussion involves matters that are confidential and protected by the attorney-client privilege and attorney work product doctrine and involve the discussion of security for District property and utility infrastructure information.*

The motion was seconded by Director Cavanaugh.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Absent; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (7-0).

Chair Williams read the following:

“The motion to go into closed session has passed. This closed session will be limited to discussion regarding two topics: (i) Near Term Generation Update; and (ii) Enterprise Risk Management Quarterly Update. No votes or other action will be taken.”

After confirming the Board members, executive leadership team members, OPPD staff subject matter experts, S. M. Bruckner and T. F. Meyerson, General Counsel, and E. H. Lane were present, the WebEx Event was locked to prevent additional attendees from joining. The Board then conducted its closed session discussion of Near Term Generation Update and Enterprise Risk Management Quarterly Update.

At 10:00 a.m., the Board took a break. No further business was discussed. The WebEx Event was unlocked to allow OPPD staff and the public to join.

At 10:13 a.m., a motion was made and seconded to reconvene the meeting in open session.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (8-0).

Chair Williams stated:

“The motion to come out of closed session at 10:13 a.m. is carried. This closed session was limited to discussion regarding two topics (i) Near Term Generation Update; and (ii) Enterprise Risk Management Quarterly Update.

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Committee Agenda Item 3: Public Session – Board Chair Opening Statement

Chair Williams welcomed members of the public and gave an overview of the meeting agenda and reminders for using the WebEx audio and video conferencing platform. He informed the public that per the Board's Guidelines for Public Participation, the Board does not take public comment during the All Committees meeting. The Board will take public comments at the Board meeting on Thursday, December 21, 2023, which will be conducted in person at the Omaha Douglas Civic Center at 5:00 p.m. The public may attend in person or remotely via WebEx Events by going to oppd.com.

Chair Williams noted all Board members were present, along with members of the OPPD executive leadership team and subject matter experts. Additionally, 27 members of the public and OPPD employees joined via WebEx.

Committee Agenda Item 4: Safety Briefing

Josh Clark, Manager, Protective Services, provided physical safety reminders . L. J. Fernandez, President and CEO, provided psychological safety reminders, including current safety focus reminders about: (i) Situational awareness; (ii) Avoiding sprains, strains and tears; and (iii) Winter weather hazards.

Committee Agenda Item 5: Governance Committee

Governance Committee Chair Report

Director Bogner reported the Governance Committee met on December 14, via WebEx videoconference. A copy of the agenda for that meeting was made available in the All Committee meeting materials for the Board to review. The committee discussed: (i) Safety Briefing; (ii) Prior Month Pre-committee Action Items; (iii) SD-8 Employee Relations Monitoring Report; (iv) CEO Performance Evaluation Process; (v) 2024 Board Planning: Agenda Planner, Board officer Elections and Committee Assignments; (vi) Draft Approach for Monitoring Governance practice and Board Staff Linkage Policies; (vii) Governance Committee Planning Calendar; (ix) Board Work Plan; and (x) Summary of Meeting. Director Bogner also reviewed the three-month outlook for the committee.

Supporting Data

Agenda

Three Month Outlook

2024 Agenda Planning Calendar

S. M. Focht, Vice President, Corporate Strategy and Governance, presented the Board of Directors with the 2024 Agenda Planning Calendar:

- a. In accordance with Board Policy GP-4: Agenda Planning:

“The Board, in conjunction with the CEO, shall develop, monitor, and regularly update a work plan comprised of initiatives, topics and issues it wishes to explore or is required to address over the next 12-month period, in order to guide OPPD staff in preparing agendas for standing committee meetings and regular Board meetings.”

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- b. The Corporate Secretary's office, under the direction of the CEO and Board of Directors, and in coordination with the Committee Chairs and Vice Presidents, shall prepare and issue agendas for each Board-related meeting.
- c. Matters may be placed on agendas for any Board meeting 24 hours preceding the meeting, with an exception of items of an emergency nature.
- d. Any changes made to the Agenda Planning Calendar will be noted and shared with the Board throughout the year.

Supporting Data

Datasheet

2024 Agenda Planning Calendar

SD-8: Employee Relations Monitoring Report

M. V. Purnell, Vice President, Human Capital, provided the following report to ensure full board review, discussion, and acceptance of SD-8: Employee Relations Monitoring Report:

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015. The Board subsequently updated SD-8: Employee Relations on January 12, 2017 and November 14, 2019.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The Governance Committee is responsible for evaluating Board Policy SD-8: Employee Relations.
- d. The Governance Committee has reviewed the SD-8: Employee Relations Monitoring Report, as outlined on Exhibit A, and is recommending that OPPD is taking reasonable and appropriate measures to comply with Board Policy SD-8.

The Governance Committee recommended Board approval of the 2023 SD-8: Employee Relations Monitoring Report as outlined in Exhibit A.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

Exhibit A – Monitoring Report

Resolution

Committee Agenda Item 6: Finance Committee

Finance Chair Report

Director Spurgeon reported the Finance Committee met on December 8, via WebEx videoconference. A copy of the agenda for that meeting was made available in the All Committee meeting materials for the Board to review. The committee discussed: (i) Safety Briefing; (ii) Public Utilities Regulatory Policies Act (PURPA) Amendment; (iii) North Omaha Station Project; (iv) 2024

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Final Corporate Operating Plan; (v) Declaration of Anticipated 2024 Capital Expenditures Reimbursement; (vi) Board Work Plan; and (vii) Summary of Meeting.

Supporting Data

Agenda

2024 Final Corporate Operating Plan

J. M. Bishop, CFO and Vice President, Financial Services, presented the following information to support Board approval of the 2024 Corporate Operating Plan and rate action.

- a. The Corporate Operating Plan includes an average general rate increase across all customer classes of 3.1%. The Fuel and Purchased Power Adjustment (FPPA) base rate was reset to account for long-term price increases in the supply of power. This result has a decrease in the FPPA factor with an average rate impact across all customer classes of -0.6%. Total rate impact across all customer classes is 2.5%.
 - The current FPPA factor is 0.480 cents per kWh. The FPPA base rate is 1.606 cents per kWh.
 - Management will propose to change the FPPA base rate to 1.951 cents per kWh. This will result in a reduction of the FPPA factor to 0.413 cents per kWh.
 - The net results of the resetting of the FPPA base and impact on FPPA factor is a -0.6% rate impact.
 - The 2024 Corporate Operating Plan includes a one-time 100% exclusion of under-collected FPPA revenue. FPPA under collected revenues are currently projected to be \$6.8 million and will be updated with actual results through December 2023. This exclusion is a result of favorable financial results that does not require recovery of under-collected revenues.
- b. A Cost-of-Service Study was performed to determine the cost of providing electric service to each rate class. The study was used to determine the appropriate rate increase for each class.

Customer Class	FPPA Rate	General Rate	Total
Residential	-0.6%	2.2%	1.6%
Commercial	-0.8%	5.8%	5.0%
Industrial	-0.6%	2.4%	1.8%
Lighting	-0.2%	6.1%	5.9%
Wholesale Towns	-0.9%	0.0%	-0.9%
Total	-0.6%	3.1%	2.5%

The proposed increased are detailed on Exhibit A (attached).

- c. Miscellaneous wording and rate changes to various rate schedules are also proposed. These proposed changes are detailed in Exhibit B (attached).
- d. Total energy sales are budgeted to be 17,399 GWh which represents a 10.9% increase from the projected 2023 sales amount.

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- Retail sales are budgeted to be 13,648 GWh which represents a 9.5% increase from the projected 2023 amount.
 - Wholesale revenues, excluding Nebraska City Station Unit 2 (NC2) participation sales, are budgeted to be 1,653 GWh which represents an 12.0% increase from the projected 2023 amount.
 - NC2 participation sales for 2023 are budgeted to be 2,097 GWh, a 20.5% increase from the projected 2023 amount.
- e. Total operating revenues are budgeted to be \$1,432.4 million. Total budgeted operating revenues are 1.6% higher than 2023 projection.
- Retail revenues are budgeted to be \$1,225.6 million, which is an increase of \$67.5 million or 5.8% above the 2023 projection.
 - Wholesale revenues, excluding NC2 participation revenues, are budgeted to be \$100.9 million, which is 27.1% lower than 2023 projected revenues.
 - NC2 participation revenues for 2024 are budgeted to be \$63.6 million, a 7.5% decrease from the projected 2023 amount.
- f. Total operations and maintenance expenditures are budgeted to be \$1,021.0 million. Total operations and maintenance expenditures are \$0.6 million or 0.1% lower than the 2023 projected amount.
- Operations and maintenance expenditures (excluding fuel and purchased power) are budgeted to be \$528.3 million, which is \$12.6 million or 2.3% lower than the amount projected for 2023.
 - Fuel expenses are budgeted to be \$180.2 million which is \$18.5 million or 11.5% higher than the amount projected for 2023.
 - Purchased power expenses are budgeted to be \$312.5 million which is \$6.5 million or 2.0% lower than the amount projected for 2023. The purchased power expenses include 972 megawatts of wind capability and 86 megawatts of solar capability, to support the District's renewable energy goal.
- g. Capital expenditures are budgeted at \$727.0 million for 2024 compared to \$651.4 million projected for 2023.

The 2024 capital expenditure plan provides for expansion and improvements to the existing production, transmission and distribution systems. Expenditures by classification include both approved and pending capital projects. Actual expenditures by classification will vary based on final project designs, corporate priorities, and pending project approvals.

Production	\$ 261.3 million
Transmission and Distribution	356.2 million
General	<u>109.5 million</u>
TOTAL	\$727.0 million

- h. In 2024, funding for Nuclear Decommissioning is budgeted at \$15.3 million, consisting of investment earnings on trust balances.
- i. Net income for 2024 is budgeted to be \$161.4 million compared to \$145.5 million projected for 2023.
- j. The 2024 Corporate Operating Plan total expenditure amount equals \$2,107.7 million.

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- k. Total debt service coverage is anticipated to be 2.0 times for 2024.

Requesting Board of Directors approval of the 2024 Corporate Operating Plan and rate changes.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

2024 Corporate Operating Plan

Letter from The Brattle Group – Financial Review

Letter from The Brattle Group – Rates Review

Exhibit A – Proposed Rate Adjustments

Exhibit B – Proposed Service Regulations and Schedules Revisions

Red-line of full Service Regulations and Schedules

Resolution

Declaration of Anticipated 2024 Capital Expenditures Reimbursement

J. M. Bishop, CFO and Vice President, Financial Services, presented the following information to support Board approval for the District to maintain the option to issue tax-exempt debt obligations to reimburse 2024 capital expenditures and maximize the investment of the proceeds.

- a. Since 1979, the District has utilized a financing plan that includes the reimbursement of Corporate Operating Plan expenditures from the proceeds of tax-exempt debt obligations. Such reimbursement financing has been determined to be the most cost-effective and efficient means of avoiding arbitrage rebate restrictions on the investment of the proceeds.
- b. The 2024 Corporate Operating Plan includes District expenditures of approximately \$727 million for capital improvements. The District may issue tax-exempt debt obligations in the future to reimburse a portion of these expenditures. The timing of the debt issuance could change depending on market conditions.

Provide Board of Director Declaration to reimburse 2024 capital expenditures with tax-exempt bond proceeds.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

Resolution

Public Utilities Regulatory Policies (PURPA) Amendment

R. L. Spady, Director Energy Regulation, provided the following information to support Board authorization to approve the final reports attached to the resolution, and decline to adopt the referenced PURPA standards.

- a. PURPA was originally enacted in 1978 and its main purposes are to reduce energy demand and promote greater use of domestic energy, conservation of energy supplied by electric utilities, optimization of the efficient use of facilities and resource by electric utilities, and equitable rates to the electric customers.

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- b. PURPA is periodically updated to further these purposes and require public power entities like OPPD to consider its current activities, provide public comment, and determine whether further actions or adoption of a resolution is necessary.
- c. OPPD has a long history of supporting PURPA's main purposes.
- d. OPPD solicited public comment to consider adopting standards on promoting greater transportation electrification and utility demand response.
- e. Public comments will be reviewed at the All-Committee Meeting on December 19, 2023, the public will be given an opportunity to speak at the Board of Directors Meeting on December 21, 2023, and this matter will be brought to the Board of Directors for determination at said Board of Directors Meeting.

Board of Directors of the Omaha Public Power District has completed its consideration of the standards included in the Public Regulatory Policies Act of 1978, as amended by the Infrastructure Investment and Jobs Act of 2021, related to demand response practices and electric vehicle charging programs, and the Board hereby accepts and approves the final reports attached to the resolution, and declines to adopt the referenced PURPA standards.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

Resolution

PURPA EV Report

PURPA DR Report

The board took a break for lunch at 11:30 a.m. and reconvened at 12:45 p.m.

Committee Agenda Item 7: Customer and Public Engagement Committee

Customer and Public Engagement Committee Chair Report

Director Howard reported the Customer and Public Engagement Committee met on December 4, via WebEx videoconference. A copy of the agenda for that meeting was made available in the All Committee meeting materials for the Board to review. The committee discussed: (i) Safety Briefing; (ii) Early Corporate Operating Plan customer feedback; (iii) Customer Payment Trends ; (iv) Builder and/or Developer update; (v) Government Relation update; (vi) Board Work Plan; and (vii) Summary of Meeting.

Underground Development Process Improvement

W. L. Young, Director, Customer Service, presented the following information to provide the Board of Directors with an update on progress toward Underground Development process improvements.

- a. To continue to improve the underground electrical service installation process for residential and commercial developments, OPPD evaluated and developed a series of process improvement initiatives to continue to support exponential growth of new and redevelopment projects in the metropolitan area.

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- b. OPPD engaged with internal and external stakeholders utilizing numerous methods including surveys, in-person ad hoc meetings, focus groups, field conversations, and industry case analysis to inform the near- and long-term process improvement strategies to improve project communication and coordination within the development community.
- c. OPPD has several in-flight and upcoming initiatives to continue to improve project status communication and execution.
- d. A cross-functional process improvement organization has been established and will continue to be leveraged to further advance initiatives and standardization within this work process area.

Supporting Data

Datasheet

Committee Agenda Item 8: System Management & Nuclear Oversight Committee

System Management & Nuclear Oversight Committee Chair Report

Director Moody reported the System Management & Nuclear Oversight Committee did not meet in December.

Cass to Sarpy Transmission Project Route Announcement

S. J. Hanson, Director, Engineering, provided the following report to the Board to announce the final route for the Cass to Sarpy Transmission project.

- a. OPPD was issued the Notification to Construct (NTC) from Southwest Power Pool (“SPP”) on November 16, 2022, for this critically needed infrastructure.
- b. The NTC was to build a new 345kV transmission line from an OPPD substation off 180th and Giles to OPPD’s Cass County Balancing Station northwest of Murray, Nebraska.
- c. From February 2023 to April 2023, OPPD began gathering data in the proposed study area and established the Routing and Public Involvement Plan for the new transmission line.
- d. The first rounds of Public Open Houses were held in Springfield, Nebraska and Louisville, Nebraska on July 12, 2023, and July 13, 2023, respectively.
- e. The second rounds of Public Open Houses were held on October 4, 2023, and October 5, 2023, in Springfield, Nebraska and Louisville, Nebraska.
- f. The final route was chosen that balances the Engineering, Environmental and Social criteria with the feedback received from the stakeholders in the area.

Supporting Data

Datasheet

Cass to Sarpy Transmission Project – Final Route

Cass to Sarpy Transmission Project Acquisition of Land Rights

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J. D. Farrell, Manager, Real Property and Land Management, provided the following information to support Board approval of the use of eminent domain for the approved Cass to Sarpy Transmission Project.

- a. This requested eminent domain authorization covers land rights that need to be acquired for Utility Operations infrastructure to connect Cass County Balancing Station off of Mill Road and the utility's new Turtle Creek Balancing Station at 168th & Fairview Roads in Sarpy County.
- b. As part of Cass-to-Sarpy Transmission Project, Omaha Public Power District (OPPD) OPPD is planning to build an approximately 23-mile, 345-kilovolt transmission line between its Cass County Balancing Station off of Mill Road and the utility's new Turtle Creek Balancing Station at 168th & Fairview Roads in Sarpy County. This is a portion of a 29-mile line between Cass County Station and 180th and Giles. However, a section of the line is already routed as part of the Sarpy Southwest Transmission Project.
- c. Approximately 61 permanent easements are required for the construction, operation and maintenance of transmission facilities. Temporary easements may be required for pre-engineering survey access as well as temporary construction needs.
- d. There has been Public Involvement throughout routing and siting. Engagement will continue with landowners through the land rights acquisition process.
- e. OPPD will commence negotiations at the beginning of 2025 to voluntarily acquire the necessary land rights for the transmission facilities.
- f. OPPD will undertake reasonable efforts to voluntarily acquire the necessary land rights through good faith negotiations. However, the use of eminent domain may be necessary if voluntary agreement cannot be achieved by the District and landowners.
- g. OPPD will report the filing of eminent domain actions to the Board. This requested authorization extends through December 31, 2026. Additional authorizations after that date for the covered projects will be requested, as needed.

Requesting authorization by the Board of Directors to commence eminent domain proceedings for permanent and temporary easements as needed on parcels not acquired voluntarily after all reasonable efforts have been made for the Cass-to-Sarpy Transmission Project.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

Route Map

Resolution

Spring 2024 Transmission Construction

S. J. Hanson, Director, Engineering, provided the following report to support Board authorization to award a contract for construction services regarding transmission system modifications.

- a. Relocation of a 69kV transmission line for residential development in Omaha.
- b. Installation of Air Flow Spoilers on multiple transmission lines to reduce icing concerns.

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- c. Replace eleven (11) wood 345kV structures and fifty (50) wood 69kV structures that are at the end of their useful life.
- d. Relocation of a 161kv transmission line stub pole due to a road widening project in Omaha.
- e. Construction labor includes the following:
 - structure erection and framing,
 - installation of conductor and shield wire, and
 - removal of existing structures, conductor, shield wires, and transmission line hardware.
- f. Eight (8) proposals were received. All eight (8) proposals are legally responsive and seven (7) of the eight (8) proposals are also technically responsive.
- g. Construction to begin in February 2024 and conclude in July 2024.
- h. The proposal from High Voltage Inc. was evaluated to be the lowest and best.

Requesting authorization by the Board to award a labor contract to High Voltage Inc. in the amount of One Million, Three Hundred Twelve Thousand, Seven Hundred Fifteen Dollars and Twenty-Five Cents (\$1,312,715.25) for the procurement of construction services to construct and modify the transmission lines based on the evaluation of RFP No. 6107 Spring 2024 Transmission Construction.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Analysis of Proposals

Tabulation of Bids

Legal Opinion

Resolution

345-15kV 140/187/233(262)MVA OLTC GSU Transformer

S. J. Hanson, Director, Engineering, provided the following information to support Board authorization to award RFP No. 6101 a multi-year 345-15kV 140/187/233(262) MVA OLTC GSU Transformer Contract to support reliability and resiliency of the existing Cass County Generation Station.

- a. The 345-15kV 140/187/233(262) MVA OLTC GSU Transformers are required to support spare inventory, proactive replacements and provide flexibility for future projects. This contract will initially procure a quantity of one (1) 345-15kV 140/187/233(262) MVA OLTC GSU to serve as a spare generator step-up transformer for the Cass County Generation Station. It is required to support reliability and resiliency of Cass County Units 1 and 2.
- b. Two (2) proposals were received: One (1) is legally responsive and two (2) are technically responsive.
- c. HD Hyundai Electric America Corporation was evaluated as the lowest and best bid.
- d. HD Hyundai Electric America Corporation provided the option to renew up to four (4) additional one (1) year terms with renegotiated pricing and lead time.

Requesting authorization by the Board to award RFP No. 6101, "345-15kV 140/187/233(262) MVA OLTC GSU Transformer" to HD Hyundai Electric America Corporation for an initial one (1) year contract with the option to renew up to four (4) additional one (1) year terms based on legal and technical evaluation for the procurement of generator step-up transformers.

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The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Analysis of Proposals

Tabulation of Bids

Legal Opinion

Resolution

Cass County Station Unit 1 & 2 Exhaust Stack Repairs - Engineer's Certification

S. A. Eidem, Director, Engineering Services, provided the following information to support Board approval to provide services and materials for the redesign and installation of the replacement exhaust stack silencers for Cass County Station Units 1 and 2.

- a. Cass County Station Units 1 and 2 were recently inspected and degradation was found in the exhaust stacks, creating challenges for safe and reliable operation.
- b. The District's engineer has certified the complex nature of the work and that use of the sealed bid process is impractical and not in the public interest.
- c. The District will solicit competitive proposals from qualified contractors for the work. A negotiated contract process will provide potential contractors time to develop a detailed work plan with optimized design, project schedule, pricing, and risk mitigation.

Requesting Board approval of the Engineer's Certification and authorization for management to negotiate and enter into a contract(s) for the redesign and installation of the replacement exhaust stack silencer panels at Cass County Station Units 1 and 2.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Letter of Recommendation

Engineer's Certificate

Legal Opinion

Resolution

North Omaha ELG Materials – Engineer's Certification

S. A. Eidem, Director, Engineering Services, provided the following information to support Board approval to Supply material and services to modify the North Omaha Station (NOS) bottom ash conveying system for high recycle rate operation.

- a. On August 31, 2020, the Environmental Protection Agency (EPA) issued the final reconsideration rule for revised Effluent Limit Guidelines and Standards (ELG), for facilities which generate bottom ash transport water, including NOS Units 4 and 5.
- b. On March 13, 2023, the Nebraska Department of Environment and Energy (NDEE) issued the North Omaha Station National Pollutant Discharge Elimination System permit, which included a compliance deadline of December 31, 2025, for the completion of upgrades to eliminate or reduce discharge of bottom ash transport water. The EPA rule and NDEE permit necessitate modifications to the existing NOS bottom ash system.

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- c. The District's engineer has certified the complex nature of the work and that use of the sealed bid process is impractical and not in the public's interest.
- d. The District proposes to enter a contract with UCC Environmental for the work. A negotiated contract process will enable the District to develop a detailed work plan with optimized project schedule, pricing, cancellation clauses, and other risk mitigation.
- e. Installation labor will be provided separate from this contract.

Requesting board approval of the Engineer's Certification and authorization to negotiate and enter a contract with UCC Environmental for the supply of equipment and services for modification of the North Omaha Station bottom ash conveying system to comply with ELG requirements.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Letter of Recommendation
Engineer's Certificate
Legal Opinion
Resolution

Repair or Replace 13.8kV 12,500HP Motor

C. J. Zavadil, Director, Asset Management, provided the following information to support Board authorization to reject the proposals received for RFP No. 6111 and authorize the District to enter into a negotiated contract for the repair of the existing failed spare Boiler Feedwater Pump (BFP) Motor for Nebraska City Station Unit 2.

- a. The subject motor failed electrically in-service and requires a full refurbishment, including stator rewind, to be returned to the station as a functional spare.
- b. The District requested bids for both the option to repair the existing motor or supply a direct replacement motor. After evaluation of bids received, the District has chosen to pursue the option to repair the existing motor rather than replacement.
- c. Four bids were received. One bid was found to be legally non-responsive. All four (4) bids were deemed to be technically non-compliant.

Requesting authorization by the Board of Directors to reject all proposals received for RFP No. 6111 Repair or Replace NC2 BFP Spare Motor and allow District Management to enter into and award a negotiated contract.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Letter of Recommendation
Tabulation of Bids
Legal Opinion
Resolution

SD-4: Reliability Policy Revision

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C. J. Zavadil, Director, Asset Management, provided the following report to ensure full board review, discussion, and acceptance of SD-4: Reliability policy revisions.

- a. The Systems Management and Nuclear Oversight Committee is responsible for evaluating and monitoring Board Policy SD-4: Reliability.
- b. The Systems Management and Nuclear Oversight Committee proposed revisions for Board consideration and public feedback on November 14, 2023. Public comments were accepted on OPPDCommunityConnect.com from November 14, 2023, through December 17, 2023. No comments were received.
- c. The Systems Management and Nuclear Oversight Committee is recommending to the Board that Board Policy SD-4: Reliability be revised as outlined in Exhibit A.

Requesting Board of Directors approval of SD-4: Reliability policy, as outlined in Exhibit A.

The Board was scheduled to vote on this matter at the December 21, 2023, meeting.

Supporting Data

Datasheet

Exhibit A – SD-4: Reliability Policy Revision

Exhibit B – Presentation Resolution

Committee Agenda Item 9: Other Business

Confirmation of Board Meeting Agenda

The Board members reviewed the agenda for the Board meeting on Thursday, December 21, 2023, and it was decided item 17 on the agenda will be moved to Discussion Action Items. The meeting will be conducted in person at the Omaha Douglas Civic Center, 2nd Floor Legislative Chamber, at 5:00 p.m. The public may attend in person or remotely via WebEx audio and video conference.

Review of Board Work Plan

The Board reviewed items added to the board work plan since the November board meeting.

Committee Agenda Item 2: Closed Session continued

At 1:45 p.m. it was moved by Director Bogner that the Board return to Closed Session to discuss the Enterprise Risk Management Quarterly Update. Director Bogner stated as follow:

“I move that the Board go into closed session at this time 1:45 p.m. to discuss one topic:

*With respect to the **Enterprise Risk Management Quarterly Update** a closed session is necessary for the protection of the public interest because the discussion involves matters that are confidential and protected by the attorney-client privilege and attorney work product doctrine and involve the discussion of security for District property and utility infrastructure information.*

The motion was seconded by Director Mollhoff.

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Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (8-0).

Chair Williams read the following:

“The motion to go into closed session has passed. This closed session will be limited to discussion regarding one topic: Enterprise Risk Management Quarterly Update. No votes or other action will be taken.”

After confirming the Board members, executive leadership team members, OPPD staff subject matter experts, S. M. Bruckner and T. F. Meyerson, General Counsel, and E. H. Lane were present, the WebEx Event was locked to prevent additional attendees from joining. The Board then discussed the *Enterprise Risk Management Quarterly Update*.


At 2:24 p.m., a motion was made and seconded to reconvene the meeting in open session.

Thereafter, the vote was recorded as follows: Bogner – Absent; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (7-0).

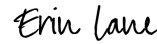
Chair Williams stated:

“The motion to come out of closed session at 4:10 p.m. is carried. This closed session was limited to discussion regarding one topic: Enterprise Risk Management Quarterly Update. No votes or other action were taken.”

There being no further business, the meeting adjourned at 2:24 p.m.

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S. M. Focht
Vice President – Corporate Strategy and
Governance and Assistant Secretary

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E. H. Lane
Sr. Board Operations Specialist