

**OPPD Board of Directors – All Committees Meeting
 Tuesday, May 17, 2022**

CLOSED SESSION – 8:00 A.M. – PUBLIC SESSION 10:00 A.M.

Conducted virtually via Webex audio/video conference. Public may attend remotely by going to www.oppd.com/CommitteeAgenda to access the Webex meeting link or the public may watch the Webex at Energy Plaza, 444 S. 16th Street – Conf. Room A, Omaha, NE, which will be set up as a physical location to view the Webex.

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
1. Chair Opening Statement		Bogner	8:00 A.M.
2. Closed Session			8:05 A.M.
Power with Purpose: Solar Update – CLOSED SESSION	Discussion	Underwood	45 min
Power with Purpose: Reliability – CLOSED SESSION	Discussion	Underwood	45 min
Claim Settlement in Excess of \$50,000	Reporting	Focht	10 min
<i>BREAK – Open Webex to Allow Public to Join</i>			9:45 A.M.
3. Public Session – Chair Opening Statement		Bogner	10:00 A.M.
4. Safety Briefing		Fernandez	10:05 A.M.
5. Governance Committee			10:10 A.M.
Governance Chair Report (5/12/22)	Reporting	Moody	15 min
Claim Settlement in Excess of \$50,000	Reporting	Focht	5 min
6. Finance Committee			10:30 A.M.
Finance Chair Report (5/6/22)	Reporting	Yoder	15 min
First Quarter Financial Report	Reporting	Bishop	20 min
First Quarter Retirement Fund Report	Reporting	Bishop	10 min
SD-3: Access to Credit Markets Monitoring Report	Action	Bishop	30 min
<i>BREAK FOR LUNCH</i>			11:45 P.M.
7. System Management & Nuclear Oversight Cmte			12:15 P.M.
SM&NO Chair Report (5/4/22)	Reporting	Williams	10 min
RFP 5960 – Nebraska City Station Unit 2 (NC2)	Action	Via	10 min
Economizer Upper Bank Replacement – Materials Contract Award			
69kV Power Cable – Engineer's Certification	Action	Via	10 min
Nuclear Oversight Committee Report	Reporting	Via	10 min
8. Public Information Committee			12:55 P.M.
Public Information Chair Report (5/10/22)	Reporting	Mollhoff	10 min
Legislative and Regulatory Update	Reporting	Olson	30 min
SD-11: Economic Development Policy Refinement	Reporting	Olson	30 min
<i>BREAK</i>			2:05 P.M.
9. Other Business			2:15 P.M.
Confirmation of Board Meeting Agenda	Action	Bogner	5 min
Review of Board Work Plan	Discussion	Bogner	5 min
Power with Purpose: Solar Update – OPEN SESSION	Reporting	Underwood	10 min

- Continued Next Page -

* All times and duration are estimates. Please use the link below to find board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at www.oppd.com/BoardMeetings.

<u>TOPIC</u>	<u>TYPE</u>	<u>PRESENTER</u>	<u>TIME*</u>
10. Closed Session			2:35 P.M.
CEO Development Discussion	Discussion	Bogner	30 min
Corporate Officer Performance Reviews – K. W. Brown, S. M. Focht, L. A. Olson and T. R. Via	Discussion	Fernandez	60 min



Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING
WEBEX VIDEOCONFERENCE
May 12, 2022 7:00 – 9:00 A.M.

1. Corporate Officer Performance Reviews (Fernandez – 30 min)
 - a. Objective: Present, review and align on Corporate Officer performance reviews.
2. Power with Purpose: Reliability (Underwood – 60 min)
 - a. Objective: Discuss PwP and reliability.
3. Claim Settlement in Excess of \$50,000 (Focht – 5 min)
 - a. Objective: Create awareness of claim settlement and answer questions.
4. Board Work Plan (Focht – 2 min)
 - a. Objective: Committee members to review and confirm items on the Board Work Plan.
5. Summary of Committee Direction (2 min)
 - a. Objective: Executive Leadership Team liaison(s) to summarize direction provided by the committee.



Reporting Item

May 17, 2022

ITEM

Claim Settlement Report

PURPOSE

Report settlement of a claim in excess of \$50,000

FACTS

- a. On or about March 11, 2019, Alex Cooper Vasquez sustained significant injuries resulting from an electrical shock and fall from a lift while working at a construction site located at approximately 48th and Dodge Street, Omaha, Nebraska. Mr. Cooper Vasquez retained legal counsel and litigation was initiated naming multiple defendants. OPPD was named as a defendant.
- b. Nebraska State Statute §84-713 requires a report to the Board of Directors for the settlement of any claim in excess of \$50,000.
- c. On February 15, 2022, all parties to the litigation participated in a mediation wherein final settlement was reached and a final release was executed. OPPD's portion of the settlement equated to the statutory cap of liability allowed for a Political Subdivision of the State of Nebraska. OPPD's payment equated to approximately 10% of the total settlement paid to Mr. Cooper Vasquez.

RECOMMENDED:

DocuSigned by:

Scott M. Focht

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Scott M. Focht

Vice President – Corporate Strategy and Governance

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

L. Javier Fernandez

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L. Javier Fernandez

President and Chief Executive Officer

SMF:Ish



Pre-Committee Agenda

FINANCE PRE-COMMITTEE MEETING
VIDEOCONFERENCE
May 6, 2022 8:00 – 9:30 AM

1. Safety Briefing (Bishop – 3 min)
 - a. Promote awareness of current safety focus
2. First Quarter 2022 Financial Report (Bishop – 15 min)
 - a. Objective: Briefly present and answer questions on the report of OPPD's financial results for the quarter ended March 31, 2022.
3. First Quarter 2022 Retirement Plan Report (Bishop – 5 min)
 - a. Objective: Answer questions on the report of OPPD's retirement fund results for the quarter ended March 31, 2022.
4. Discussion on Retirement Plan Cost of Living Adjustments (COLA) (Bishop – 20 min)
 - a. Objective: Discuss results of the COLA study.
5. SD-3: Access to Credit Markets Monitoring Report (Bishop – 5 min)
 - a. Objective: Review SD-3 monitoring report and recommend action for Board; consider the need for prospective revisions to SD-3.
6. Rate Design Review Plan (Bishop – 5 min)
 - a. Objective: Staff to present update of on rate design review plan.
7. SD-2: Rates Policy Revision (Yoder – 15 min)
 - a. Objective: Review consensus document and next steps
8. Board Work Plan – Finance Committee Items (5 min)
 - a. Objective: Committee members to review and confirm items on the Board Work Plan.
9. Summary of Committee Direction (2 min)
 - a. Objective: Executive leadership team liaison(s) to gain alignment and summarize direction provided by the Committee



Reporting Item

BOARD OF DIRECTORS

May 17, 2022

ITEM

First Quarter 2022 Financial Report

PURPOSE

Report the quarterly financial results to the Board of Directors

FACTS

- a. The first quarter 2022 financial results are attached for review.
- b. Retail Revenue for the first quarter 2022 was \$241.1 million, which was \$0.6 million under budget. Off-system Revenue was \$46.3 million, which was \$8.5 million over budget. Other Income was (\$8.1) million, which was \$25.5 million under budget.
- c. Operations and Maintenance Expense (less Fuel and Purchased Power) for the first quarter 2022 was \$97.6 million, which was \$2.7 million under budget. Fuel and Purchased Power Expense was \$105.5 million, which was \$11.5 million over budget. Other Expense was \$104.0 million, which was \$0.5 million over budget.
- d. Operating Income for the first quarter 2022 was \$10.0 million, which was \$1.7 million under budget.
- e. Net Income for the first quarter 2022 was (\$27.9) million, which was \$27.0 million under budget. Without the negative fair value adjustments for OPPD's investments, net income for the first quarter 2022 was \$1.2 million, which was \$2.1 million over budget.

ACTION

Reporting item.

RECOMMENDED:

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

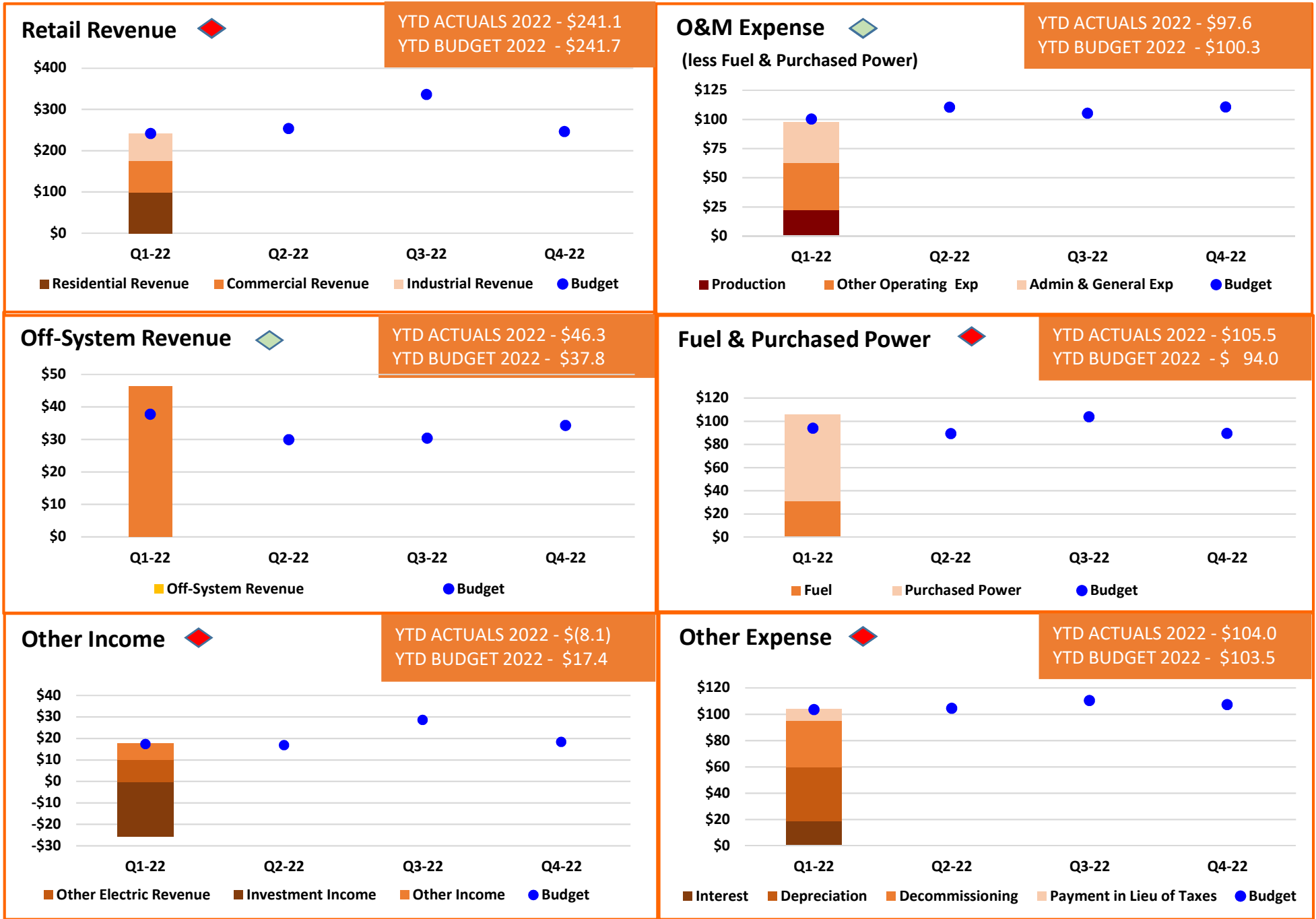
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Jeff M. Bishop
Vice President and Chief Financial Officer

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L. Javier Fernandez
President and Chief Executive Officer

Attachments: Quarterly Financial Report (Graphs)

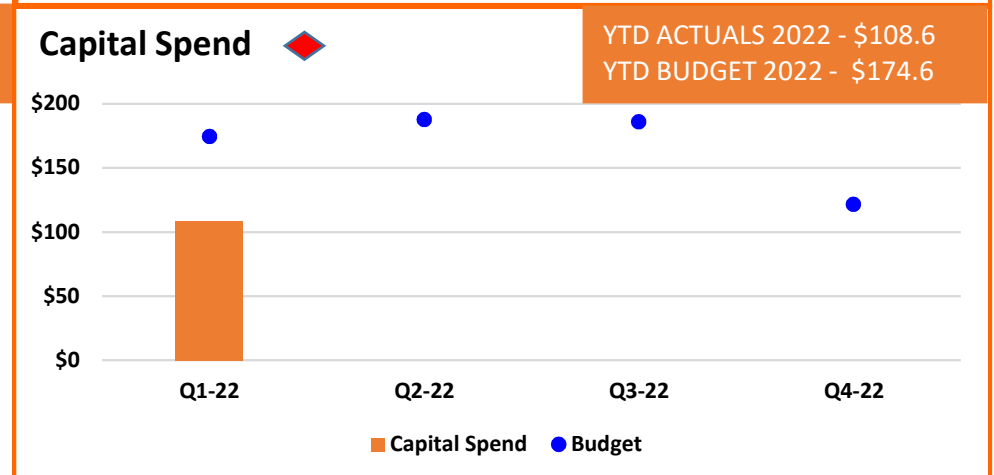
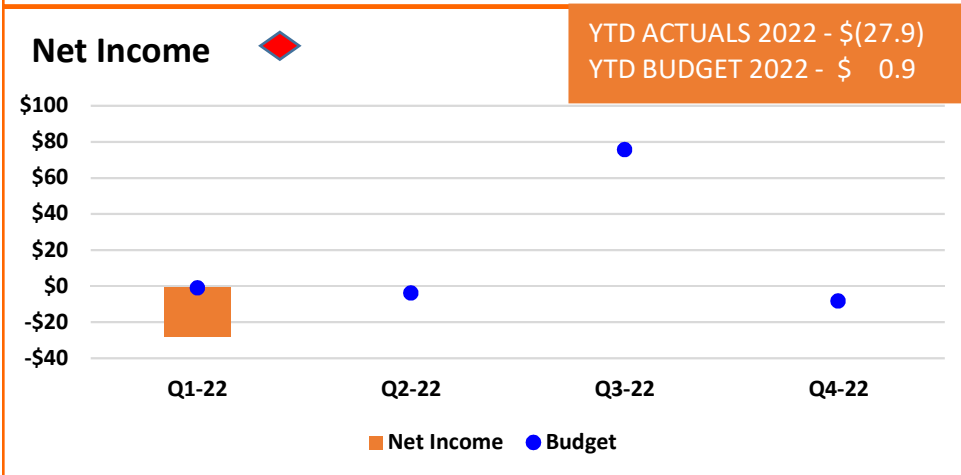
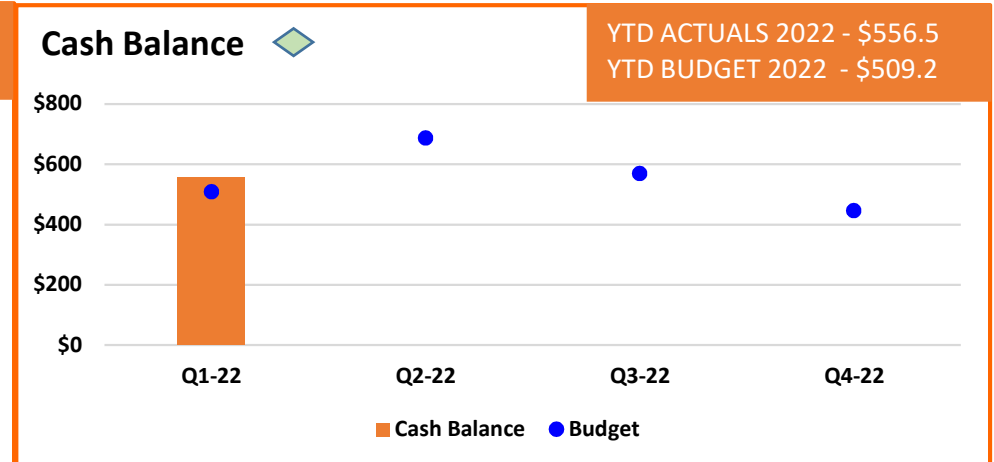
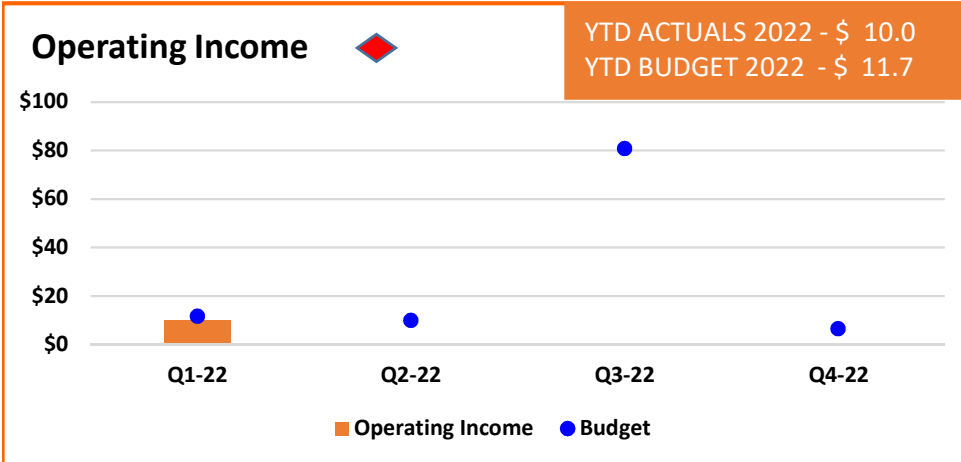
Q1 2022 Results (\$ Millions)



◆ - Favorable ◆ - Unfavorable

Unaudited results.

Q1 2022 Results (\$ Millions)



SD Impact:

* **SD-2 Rates** - The 2021 preliminary average retail rate was 8.9% below the regional retail average rates, based on preliminary EIA data.

* **SD-3 Access to Credit Markets** - The 12-month rolling debt service coverage ratio is 2.36 times through March 2022, and is forecasted at 2.0 times at year end. The District's days of cash on hand is 219 days as of March 31, 2022.

HIGHLIGHTS:

* Retail revenues were under budget year-to-date (YTD) by \$0.6 million. Off-system sales were over budget YTD by \$8.5 million, or 22.6%, primarily due to higher than expected pricing in the marketplace.

* Fuel and purchased power expenses were over budget YTD by \$11.5 million, primarily due to higher prices in the marketplace. Other O&M expenses were under budget YTD by \$2.7 million, primarily due to lower production expenses from fewer than expected unplanned outages.

* Capital expenditures were under budget YTD by 37.8%, or \$66.0 million, due to delayed spending primarily on Power with Purpose projects. The Company expects spending to increase during the remainder of the year.

◇ - Favorable

◇ - Unfavorable

Unaudited results.



Reporting Item

BOARD OF DIRECTORS

May 17, 2022

ITEM

Retirement Plan – First Quarter 2022

PURPOSE

To Report the Retirement Plan Fund's First Quarter 2022 Performance Results

FACTS

- The Retirement Plan Fund market value at the end of the first quarter was \$1.21 billion. This compares to the market value at the beginning of the quarter of \$1.29 billion. During the quarter, employee contributions were \$3.96 million and OPPD contributions totaled \$14.15 million. Benefit payments totaled \$27.85 million and the investment market value (net of expenses) decreased by \$74.27 million.
- As of March 31, 2022, the Retirement Fund asset allocation was 55.1% Equity, 37.3% Fixed Income and 7.6% Alternative Assets, which is within the Investment Policy Guidelines approved by the Board.
- The Retirement Plan Fund sector performance (net of fees) was:

<u>Sector</u>	<u>Market Value</u>	<u>Quarterly Return</u>	<u>Index</u>
Domestic Equity	\$401,253,082	-6.5%	-5.5%
International Equity	\$262,758,254	-9.7%	-6.8%
Domestic Fixed Income	\$324,607,609	-4.7%	-5.6%
Global Fixed Income	\$125,557,144	-7.5%	-7.4%
Private Real Estate	\$91,555,459	4.6%	8.0%
Total	\$1,205,731,548	-5.8%	-5.1%

- Heightened inflation, tighter monetary policy and the Russian invasion of Ukraine weighed on global equity returns. The Domestic Equity Composite returned -6.5% where growth underperformed value and small cap stocks underperformed large cap stocks. The International Equity Composite returned -9.7% with geopolitical concerns dominating market behavior.

The Domestic Fixed Income Composite returned -4.7% with the Fed Funds rate increase in March and indications of future rate increases in 2022. The Global Fixed Income Composite returned -7.5% as interest rates increased significantly in the U.S., Canada, and the U.K., but remain relatively low in Europe and Japan.

The Real Estate Composite was the only sector with positive returns for the quarter of 4.6%. Tenant demand was positive across all property types, particularly industrial and residential.

RECOMMENDED:

DocuSigned by:

 Jeffrey M. Bishop
 Vice President and Chief Financial Officer

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

 L. Javier Fernandez
 President and Chief Executive Officer

JMB: jap

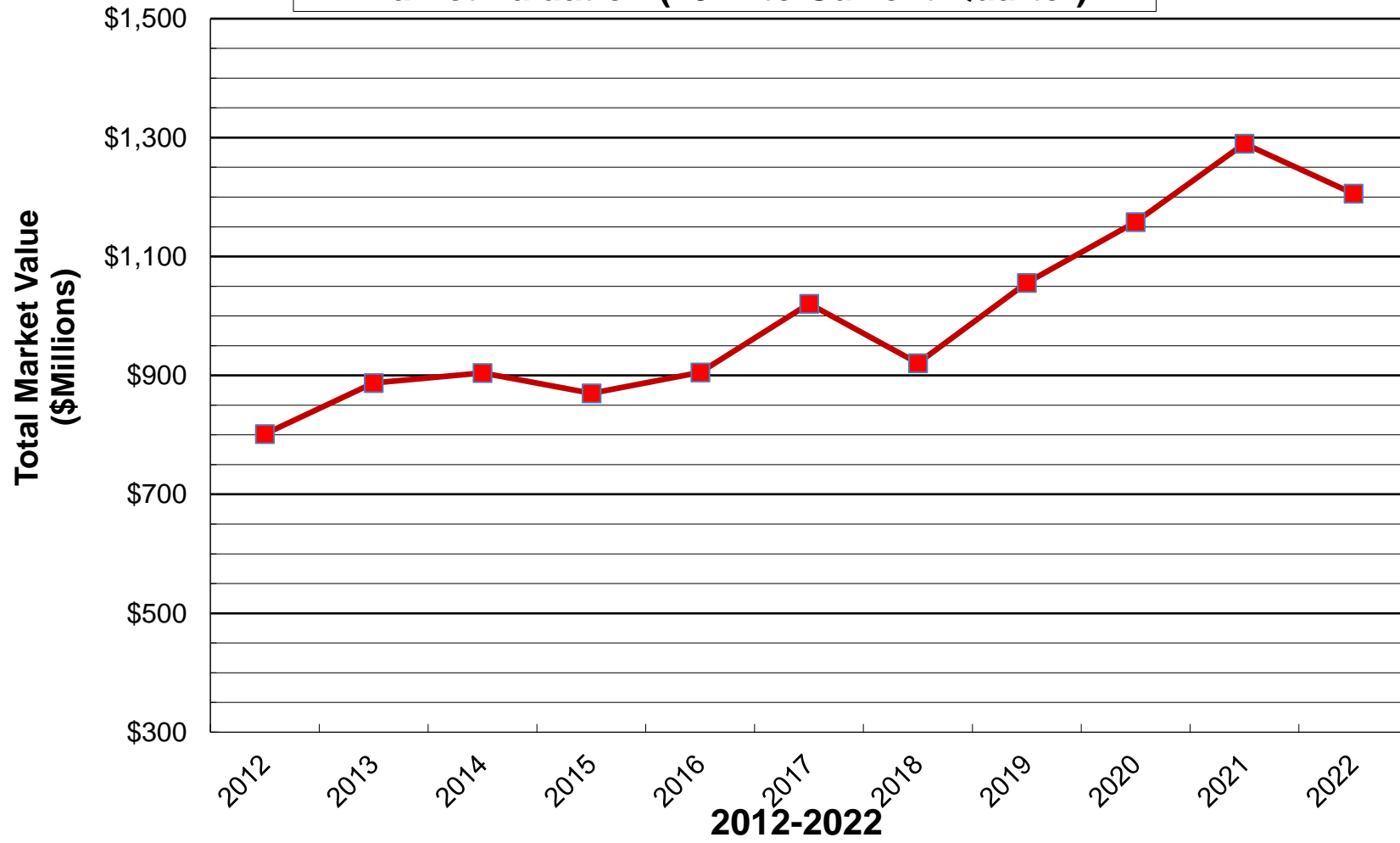
Attachments: Summary of OPPD Retirement Plan Assets
 OPPD Retirement Plan Total Assets – Annual Market Valuation Graph
 OPPD Retirement Plan Total Assets – Quarterly Market Valuation Graph

**SUMMARY OF OPPD RETIREMENT PLAN ASSETS
AS OF MARCH 31, 2022**

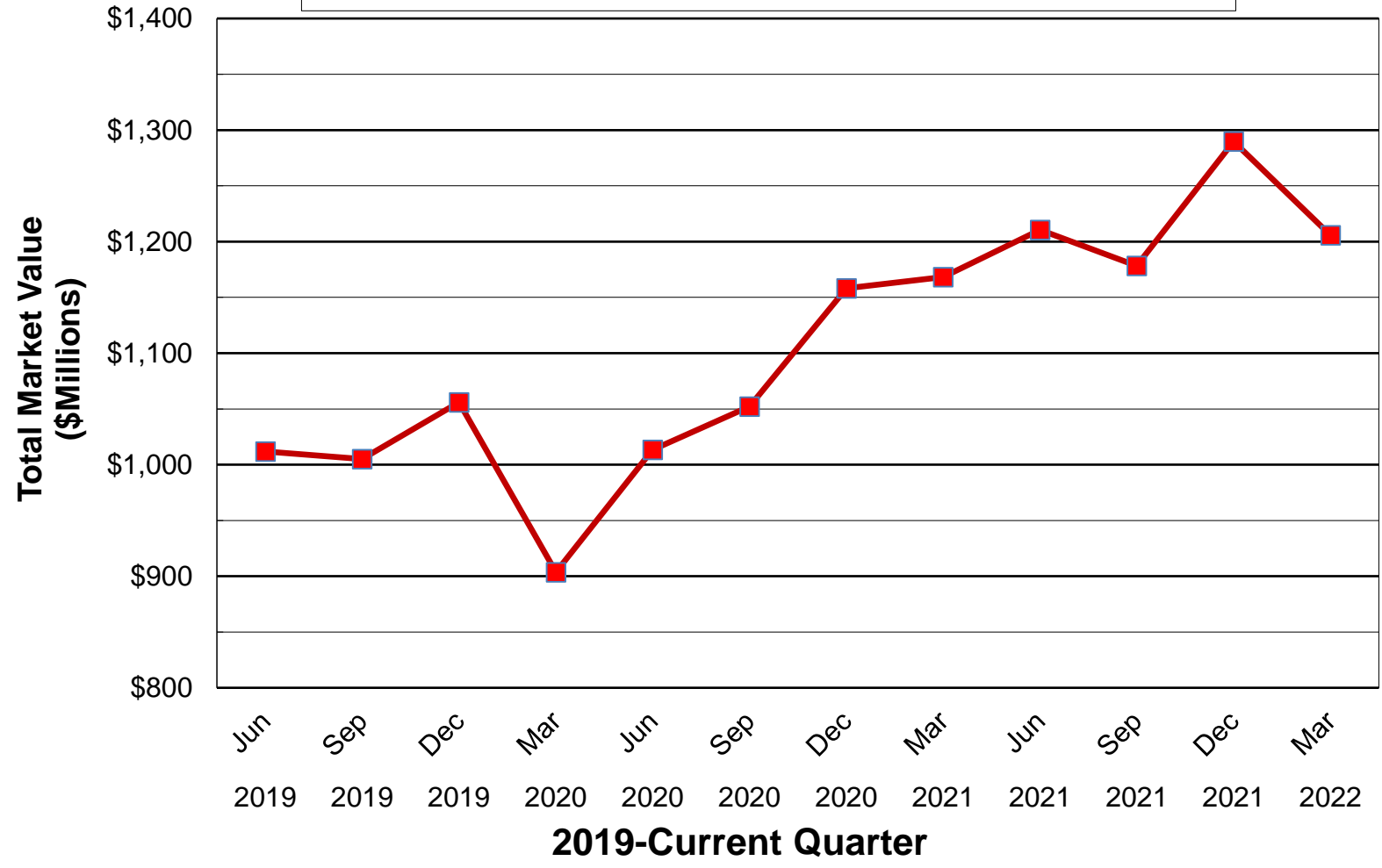
Manager Valuations, Distributions and Returns

	FUND TYPE	TOTAL VALUATION	PERCENT OF FUND	NET OF FEES RETURNS		DIFFERENCE ABOVE/(BELOW) YTD INDEX
				QUARTERLY	YEAR-TO-DATE	
<u>EQUITY MANAGERS:</u>						
Domestic Large Capitalization						
State Street Global Advisors Russell 1000	Index/Core Equity	254,345,462.49	21.1%	-5.1%	-5.1%	0.0%
Domestic Middle Capitalization						
Wellington Management Company LLP	Core/Growth	78,341,851.78	6.5%	-10.3%	-10.3%	-5.4%
Domestic Small Capitalization						
LSV Asset Management	Small Capitalization Value	33,713,385.75	2.8%	-2.1%	-2.1%	0.3%
Voya Investment Management	Small Capitalization Growth	34,852,381.69	2.9%	-10.7%	-10.7%	1.9%
International						
Global Alpha Fund	Small Cap. International	46,138,190.00	3.8%	-8.1%	-8.1%	0.4%
MFS International Equity	International Equity	95,121,951.22	7.9%	-7.7%	-7.7%	-1.8%
OppenheimerFunds, Inc.	Emerging Markets	55,343,491.59	4.6%	-15.7%	-15.7%	-8.8%
Wells Capital Management	Emerging Markets	66,154,621.17	5.5%	-8.1%	-8.1%	-1.1%
Subtotal Equity		\$ 664,011,335.69	55.1%			
<u>FIXED INCOME MANAGERS:</u>						
Domestic Bonds						
JP Morgan Investment Management	Investment Grade/Core	75,818,639.33	6.3%	-5.4%	-5.4%	0.6%
Neuberger Berman Fixed Income LLC	High Yield	37,715,336.16	3.1%	-4.7%	-4.7%	-0.3%
Reams Asset Management Company	Investment Grade/Core	80,127,356.58	6.6%	-5.3%	-5.3%	0.7%
State Street Global Advisors - Bond Market Index	Investment Grade Index/Core	88,493,783.05	7.3%	-5.9%	-5.9%	0.0%
State Street Global Advisors - TIPS Index	Investment Grade Index/TIPS	29,429,868.55	2.4%	-3.0%	-3.0%	0.0%
International Bonds						
Colchester Global Investors	Global	76,693,329.91	6.4%	-5.2%	-5.2%	1.0%
Stone Harbor Investment Partners L.P.	Emerging Markets	48,863,814.57	4.1%	-10.8%	-10.8%	-1.5%
Cash						
Trustee Cash Management Account	Cash & Cash Equivalents	13,022,625.45	1.1%			
Subtotal Fixed Income		\$ 450,164,753.60	37.3%			
<u>ALTERNATIVE ASSETS MANAGERS</u>						
Harrison Street Real Estate Capital	Private Real Estate	43,808,144.99	3.6%	2.5%	2.5%	-5.5%
PGIM Real Estate	Private Real Estate	47,747,313.58	4.0%	6.5%	6.5%	-1.5%
Subtotal Alternative Assets		\$ 91,555,458.57	7.6%			
TOTAL		\$ 1,205,731,547.86	100.0%	-5.8%	-5.8%	-0.7%
<u>Asset Allocation</u>						
EQUITY ALLOCATION		\$ 664,011,335.69	55.1%			
FIXED INCOME ALLOCATION		\$ 450,164,753.60	37.3%			
ALTERNATIVE ASSETS ALLOCATION		\$ 91,555,458.57	7.6%			
		\$ 1,205,731,547.86	100.0%			

**OPPD Retirement Plan Total Plan Assets - Annual
Market Valuation (2012 to Current Quarter)**



**OPPD Retirement Plan Total Plan Assets - Quarterly
Market Valuation Prior 3 Years**





Board Action

BOARD OF DIRECTORS

May 17, 2022

ITEM

SD-3: Access to Credit Markets Monitoring Report

PURPOSE

To ensure full Board review, discussion and acceptance of SD-3: Access to Credit Markets Monitoring Report

FACTS

- a. The Board confirmed the Corporate Governance Initiative Charter in December 2014, in order to assess and refine OPPD's corporate governance infrastructure.
- b. 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.
- c. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- d. The Finance Committee is responsible for evaluating Board Policy SD-3: Access to Credit Markets on an annual basis.
- e. The Finance Committee has reviewed the SD-3: Access to Credit Markets Monitoring Report and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

ACTION

The Finance Committee recommends Board approval of the 2022 SD-3: Access to Credit Markets Monitoring Report.

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

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Jeffrey M. Bishop
Vice President and Chief Financial Officer

DocuSigned by:

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L. Javier Fernandez
President and Chief Executive Officer

JMB: jap

Attachments: Exhibit A – Monitoring Report
Resolution

SD-3: Access to Credit Markets Monitoring Report

Jeff Bishop
Vice President and Chief Financial Officer
May 17, 2022



SD-3: Access to Credit Markets

In order to achieve a low cost and flexible cost structure, OPPD shall maintain financial ratios and targets to ensure efficient and cost effective access to the credit markets.

Therefore:

- For OPPD's annual budgets the Board establishes a minimum total debt service coverage* ratio of 2.0 times.
- When making resource decisions, OPPD shall take into consideration long-term revenue requirements, debt to capitalization ratio, minimum risk adjusted liquidity* levels, competitive position, financial risk and financial flexibility.
- OPPD's goal is to maintain an AA credit rating with the credit rating agencies consistent with the above expectations.

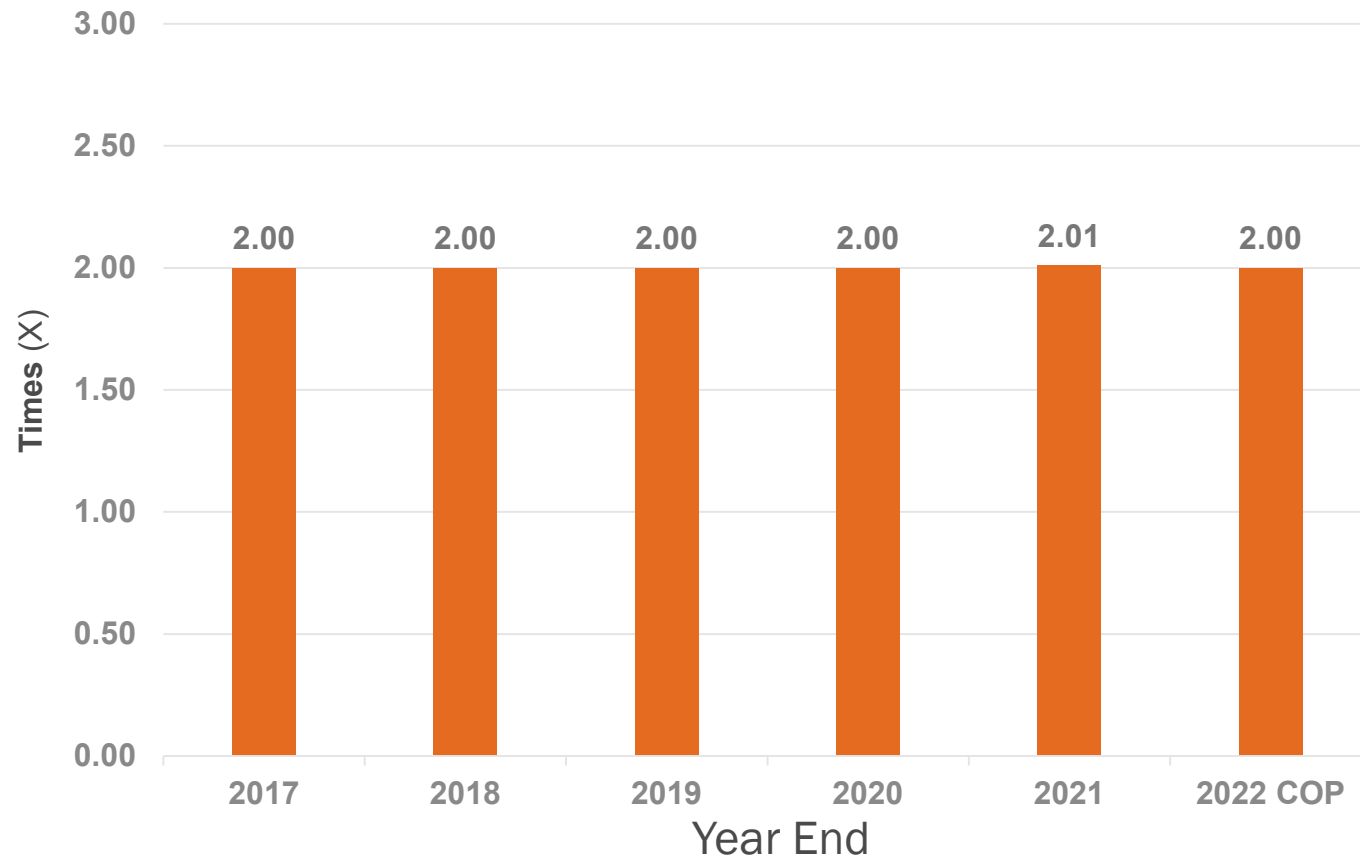
*TERMS AND DEFINITIONS

Total Debt Service Coverage: Revenues less expenses divided by total annual senior and subordinate lien debt interest and principal payments.

Liquidity: Total cash (operating and supplemental cash accounts) and unrestricted lines of credit available to meet ongoing daily cash requirements.

Total Debt Service Coverage

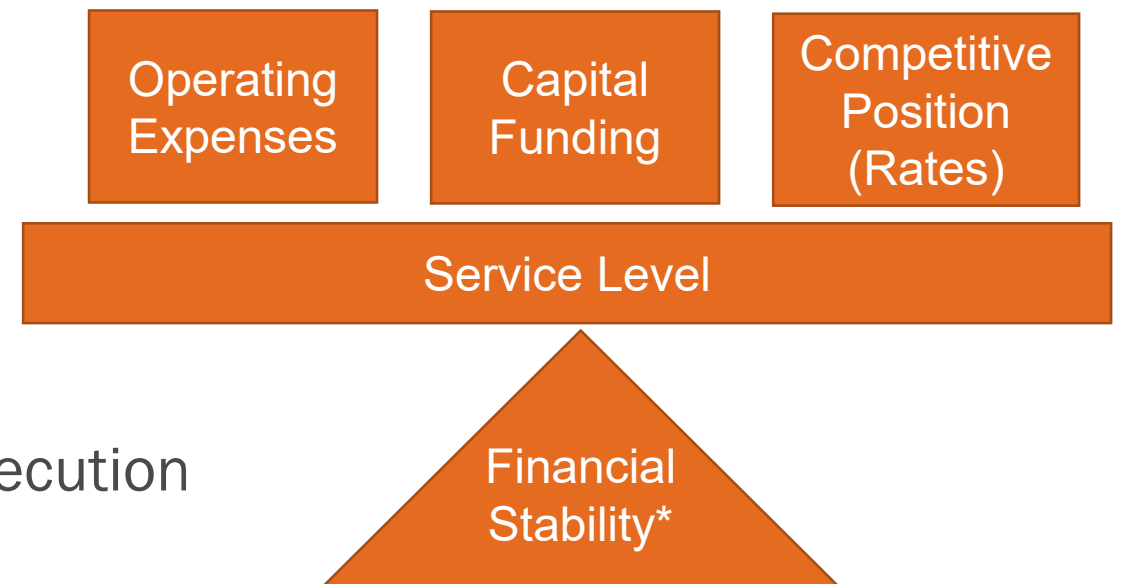
For OPPD's annual budgets, the Board established a minimum total debt service coverage ratio of 2.0 times.



Resource Decisions are made through the Corporate Operating Plan (COP)

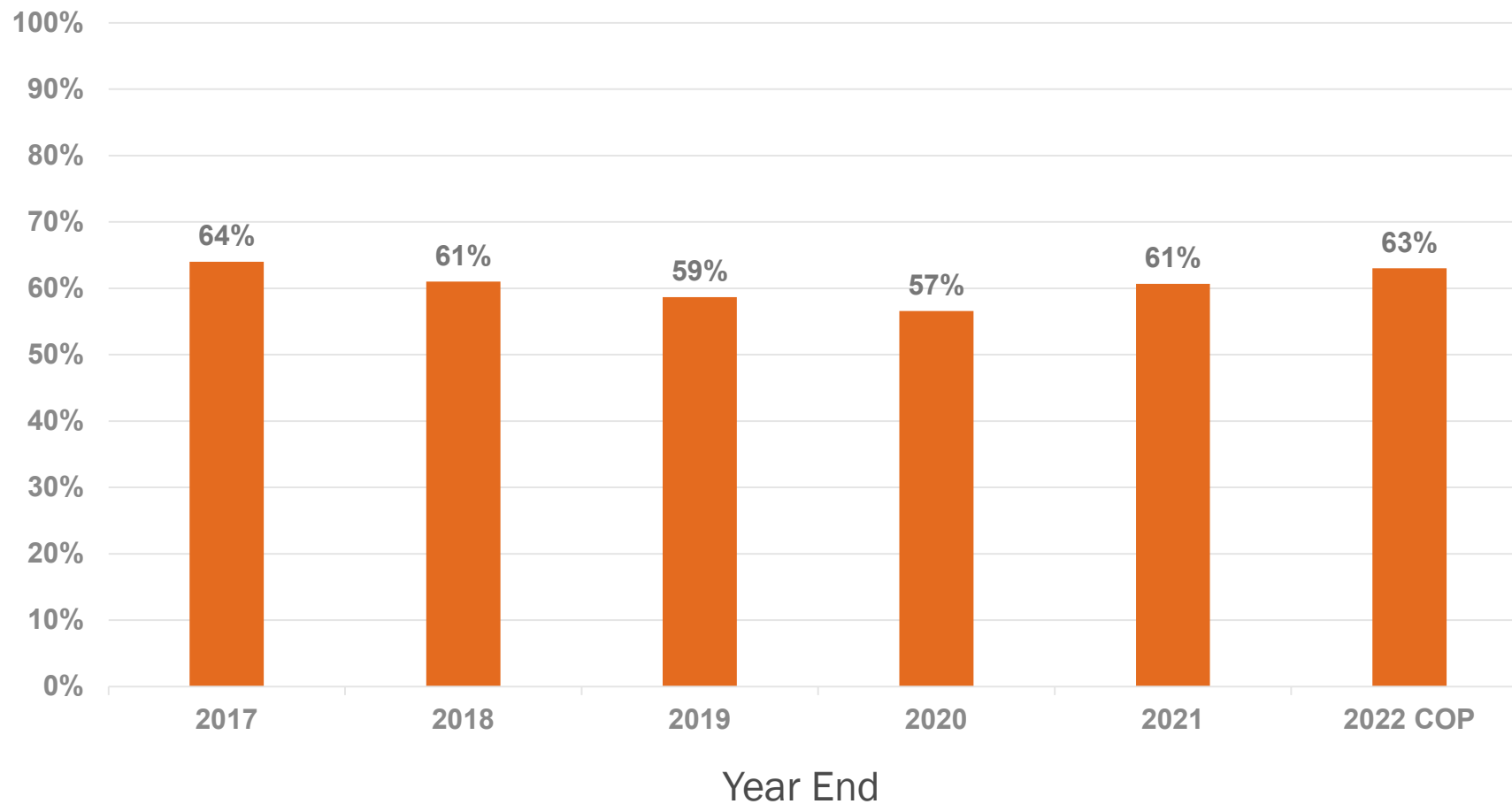
When making resource decisions, OPPD shall take into consideration long-term revenue requirements, debt to capitalization ratio, minimum risk adjusted liquidity levels, competitive position, financial risk and financial flexibility.

- Board of Director's Strategic Directives
 - Competitive position in establishing rates (SD-2)
- Long-term revenue requirements
 - Operational requirements (SD-4)
 - Enterprise and financial risks (SD-15)
- Flexibility of plan to adjust with operational execution



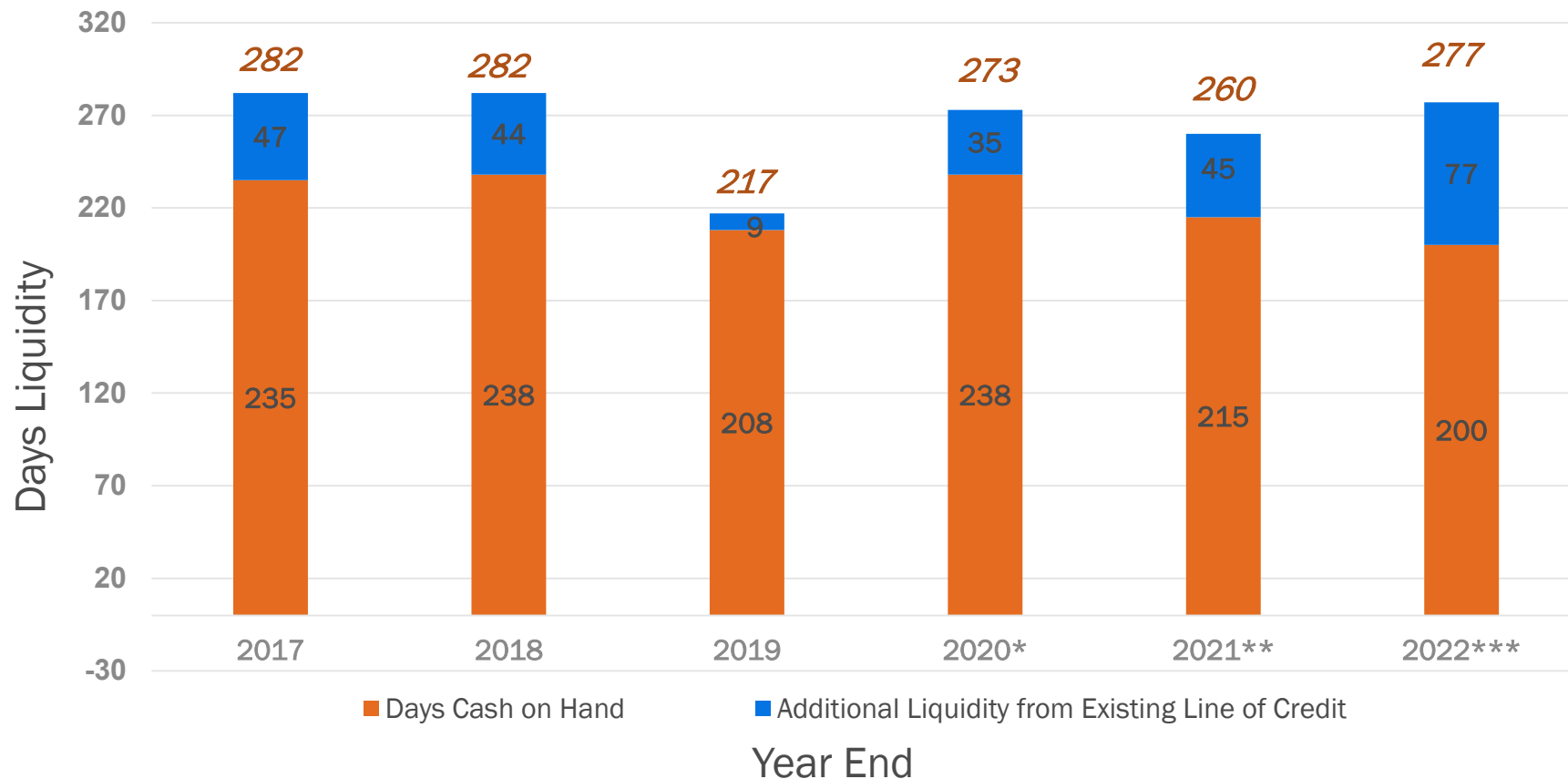
* As measured by Debt Service Coverage, Liquidity and Debt to Capitalization Ratio

Debt Ratio*



* Share of debt to total capitalization (debt plus net position)

Days Liquidity

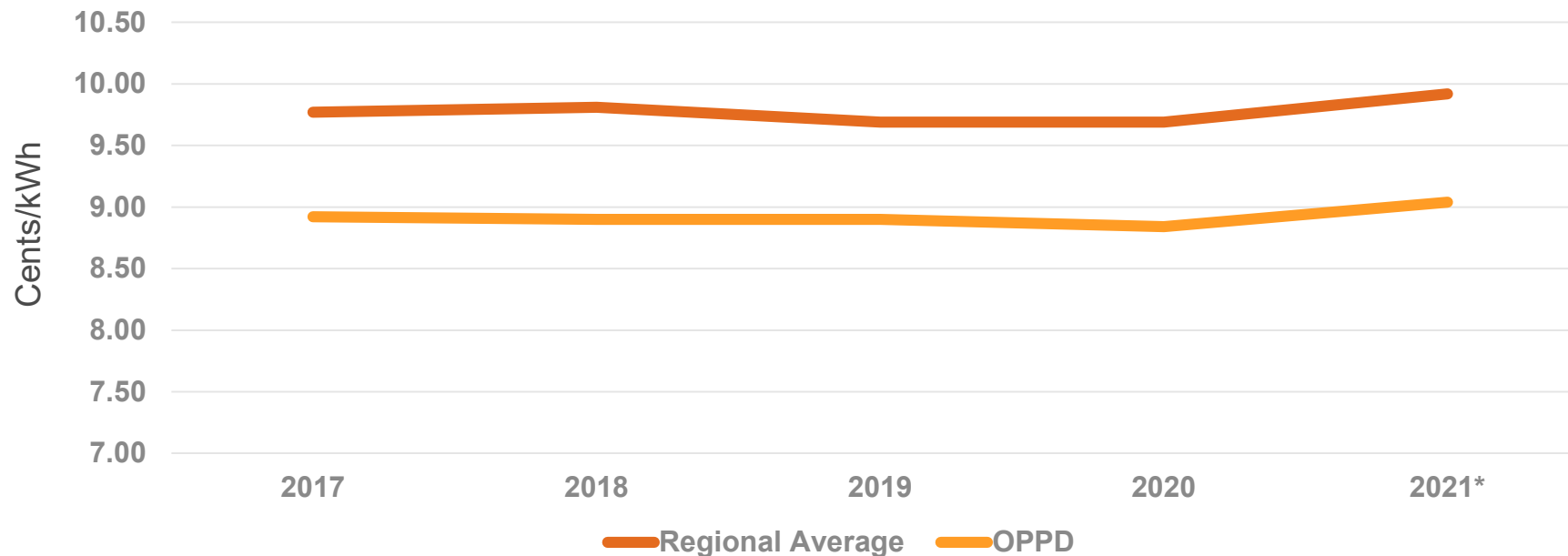


* Line of credit increased by \$75 million

** Line of credit increased to \$200 million in May 2021, of which \$75 million is tied to Commercial Paper and \$125 million is available for liquidity. Also 2021 Days Cash number is normalized to eliminate Polar Vortex changes

*** Projected as of April 2022, assumes Commercial Paper reduction of \$75 million which increases available credit line to \$200 million

Competitive Position – Retail Rates



	2017	2018	2019	2020	2021**
Regional* (Cents/kWh)	9.77	9.81	9.69	9.69	9.92
OPPD (Cents/kWh)	8.92	8.90	8.90	8.84	9.04
Below Reg. Avg. (%)	8.7	9.3	8.2	8.8	8.9

* Source: 2017-2020 EIA Form 861

** 2021 to be updated as EIA information is available

Credit Rating

OPPD's goal is to maintain an AA credit rating with the credit rating agencies consistent with the above expectations.

	2017	2018	2019	2020	2021
Moody's	Aa2	Aa2	Aa2	Aa2	Aa2
Standard & Poor's	AA	AA	AA	AA	AA

Recommendation

- The Finance Committee has reviewed and accepted this Monitoring Report for SD-3 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-3.

**Any additional reflections on
what has been
accomplished ... or
challenges or gaps**





Yoder/Bishop

DRAFT
RESOLUTION NO. 64xx

WHEREAS, the Board of the Directors has determined it is in the best interest of the District, its employees, and its customer-owners to establish written policies that describe and document OPPD's corporate governance principles and procedures; and

WHEREAS, each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process; and

WHEREAS, the Board's Finance Committee (the "Committee") is responsible for evaluating Board Policy SD-3: Access to Credit Markets on an annual basis. The Committee has reviewed the SD-3: Access to Credit Markets Monitoring Report and finds OPPD to be sufficiently in compliance with the policy as stated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Omaha Public Power District accepts the SD-3: Access to Credit Markets Monitoring Report, in the form as set forth on Exhibit A attached hereto and made a part hereof, and finds OPPD to be sufficiently in compliance with the policy as stated.



Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT
PRE-COMMITTEE MEETING
WEBEX VIDEOCONFERENCE
May 4, 2022, 4:00 – 5:00 P.M.

1. Nebraska City Station Unit 2 (NC2) Economizer Upper Bank Replacement – Materials Contract Award (Via – 7 min)
 - a) Objective: Discuss equipment procurement process.
2. 69kV Power Cable – Engineer’s Certification (Via – 7 min)
 - a) Objective: Discuss equipment procurement process.
3. Committee Direction for SD-9: Resource Planning and SD-4: Reliability Policy Revisions (Underwood – 5 min)
 - a) Objective: Discuss tentative timelines for SD-9 and SD-4 updates.
4. Independent Decarbonization Oversight Committee (IDOC) Update (Underwood – 5 min)
 - a) Objective: Discuss and review next steps for IDOC Executive Summary.
5. Summary of Committee Direction (Via – 2 min)
 - a) Objective: Executive leadership team liaison(s) to summarize direction provided by the committee.



Board Action

BOARD OF DIRECTORS

May 17, 2022

ITEM

Nebraska City Station Unit 2 Economizer Upper Bank Tube Assembly Materials

PURPOSE

Supply material for the replacement of the economizer upper bank tube assemblies for the Nebraska City Station Unit 2 boiler.

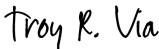
FACTS

- a. The upper bank of the economizer tubing of the Nebraska City Station Unit 2 boiler has been evaluated and will be replaced to maintain unit reliability.
- b. The District requested bids for the design, supply and fabrication of the replacement tubing materials. Six bids were received; four bids were determined to be legally non-responsive.
- c. The economizer tube assemblies are long lead delivery items. A contract for installation of these tube assemblies will be awarded separately. The installation will occur in the spring of 2023 during a scheduled unit outage.
- d. The proposal from Boiler Tube Company of America was evaluated as the lowest and best bid.


ACTION

Authorization by the Board of Directors to award a contract to Boiler Tube Company of America for the base bid amount of \$1,346,000.00 for the material and fabrication of tubing assemblies, including vibration baffle plates, tube shields and tubing hardware, for the replacement of the upper bank of the Nebraska City Station Unit 2 boiler economizer.

RECOMMENDED:

DocuSigned by:

 181107221FA24AE...
 Troy R. Via
 Vice President – Utility Operations
 and Chief Operating Officer

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

 AG309FDGE56247E...
 L. Javier Fernandez
 President and Chief Executive Officer

TRV:sjh

Attachments: Letter of Recommendation
 Tabulation of Bids
 Legal Opinion
 Resolution



MEMORANDUM

DATE: May 6, 2022

UO-2022-005

FROM: S.A. Eidem

TO: T. R. Via

SUBJECT: Nebraska City Unit 2 Economizer Upper Bank Tube Assembly Materials

1.00 GENERAL

Request for Proposal (RFP) No. 5960 is for the material design and procurement contract to replace economizer upper bank tubing assemblies of the Nebraska City Unit 2 (NC2) boiler. This contract covers the design and supply of materials only and does not include installation. An installation contract will be awarded later in 2022. There is a scheduled unit outage to install this material in the spring of 2023.

The NC2 economizer is original equipment supplied and has been in service since commercial operation starting in 2009. The economizer upper bank tubing assemblies were evaluated and require replacement to maintain unit reliability.

Six proposals were submitted per the sealed bid process and opened in response to the RFP on April 13, 2022. GE Steam Power, Inc. and IHI, Inc. provided bid alternates, and are tabulated as follows:

Bidders	Base Bid Price	Total Price	Notes
IHI, Inc.	\$1,254,000	\$1,324,300	Mexico fabrication using materials from Mexico
Boiler Tube Company of America	\$1,346,000	\$1,396,850	South Carolina (USA) fabrication using materials from China
Chanute Manufacturing	\$1,480,470	\$1,480,470	Kansas (USA) fabrication using materials from Germany
IHI, Inc. – Alternate 1	\$1,577,000	\$1,647,300	Oklahoma (USA) fabrication using materials from Mexico
GE Steam Power, Inc.	\$1,579,800	\$1,697,960	Chinese fabrication using materials form China
GE Steam Power, Inc. – Alternate 1	\$2,288,900	\$2,288,900	Mexico fabrication using materials form China

The economizer assembly structural attachment material was evaluated after bid opening and determined to be a lesser grade material and not optimal based on the average gas temperature entering the upper economizer bank. A structural attachment material substitution, designed for higher operating temperatures, was requested and the Boiler Tube Company of America fabrication bid would be increased to \$1,396,850 for this minor material change.

The Engineer's Estimate at the time of bid opening was \$2,000,000.

T. R. Via
May 6, 2022
Page 2 of 2

2.00 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

The proposals were reviewed by the District's legal counsel for review. The proposals from GE Steam Power, Inc. and IHI, Inc. were determined to be legally non-responsive and not evaluated further.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS


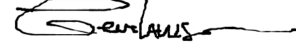
The proposals were reviewed and determined to be technically responsive. The Boiler Tube Company of America will require a post-award change order to improve the included assembly structural attachment materials as noted above.



4.00 RECOMMENDATION

Based on compliance with legal and technical requirements of the specification, it is recommended that Request for Proposal No. 5960 be awarded to Boiler Tube Company of America for \$1,346,000.

Scott A. Eidem

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

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.D.T., Wednesday, April 13, 2022, in Omaha, Nebraska</p>		<p align="center">REQUEST FOR PROPOSAL NO. 5960</p> <p align="center">Nebraska City Station Unit 2 Economizer Upper Bank Materials</p>			<p>DocuSigned by:  C171422F76EE422... Director</p> <p>Supply Chain Management  5EC5B86907EE4F6... Compiled by and Certified Correct</p>	
<p align="center">Anticipated Award Date May 19, 2022</p>						
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center"><u>\$2,000,000.00</u></p>						
<p align="center">BID ITEM</p>		<p>BIDDER'S NAME & ADDRESS</p>				
		<p align="center">IHI Inc 7285 W. 132nd Street, Suite 200 Overland Park, KS 66213</p>	<p align="center">Boiler Tube Company of America 506 Charlotte Hwy Lyman, SC 29365</p>	<p align="center">Chanute Manufacturing Company 5727 S Lewis Ave Tulsa, OK 74105</p>		
		<p>SUPPLIER'S BID</p>	<p>SUPPLIER'S BID</p>	<p>SUPPLIER'S BID</p>		
1.	<p><u>Proposal Price(S)</u></p> <p>Item 1 – Base Bid Lump Sum Firm Price</p> <p>Item 2 – Like-Kind Tubing Specification <u>Deduct</u></p> <p>Item 3 – Like-Kind Tubing w/Increased Wall Thickness <u>Deduct</u></p> <p>Item 4 – Tubing Cold Bending <u>Deduct</u></p>	<p><u>\$1,254,000.00</u></p> <p>- <u>\$120,000.00</u></p> <p>- <u>\$37,000.00</u></p> <p>- <u>\$10,000.00</u></p>	<p><u>\$1,346,000.00</u></p> <p><u>\$30,000.00</u></p> <p><u>\$0.00</u></p> <p><u>\$0.00</u></p>	<p><u>\$1,480,470.00</u></p> <p><u>\$72,970.00</u></p> <p><u>\$9,745.00</u></p> <p><u>\$35,035.00</u></p>		
2.	<p><u>Delivery Guarantee(s)</u></p> <p>Desired Delivery Date: March 17, 2023</p>	<p><u>Guaranteed Delivery Date</u></p> <p><u>March 31, 2023</u></p>	<p><u>Guaranteed Delivery Date</u></p> <p><u>March 17, 2023</u></p>	<p><u>Guaranteed Delivery Date</u></p> <p><u>March 17, 2023 (with award no later than 5/10/22)</u></p>		

<p align="center">TABULATION OF BIDS Opened at 2:00 p.m., C.D.T., Wednesday, April 13, 2022, in Omaha, Nebraska</p>		<p align="center">REQUEST FOR PROPOSAL NO. 5960</p> <p align="center">Nebraska City Station Unit 2 Economizer Upper Bank Materials</p>		<p>DocuSigned by:  C171422F76EE422... Director</p> <p>Supply Chain Management  5EC5B86907EE4F6 Compiled by and Certified Correct</p>	
<p align="center">Anticipated Award Date May 19, 2022</p>					
<p align="center">ENGINEER'S ESTIMATE</p> <p align="center"><u>\$2,000,000.00</u></p>					
<p align="center">BID ITEM</p>		<p>BIDDER'S NAME & ADDRESS</p>			
		<p align="center">GE Steam Power 200 Great Pond Dr Windsor, CT 06095</p>			
		<p>SUPPLIER'S BID</p>	<p>SUPPLIER'S BID</p>	<p>SUPPLIER'S BID</p>	
1.	<p><u>Proposal Price(S)</u></p> <p>Item 1 – Base Bid Lump Sum Firm Price</p> <p>Item 2 – Like-Kind Tubing Specification <u>Deduct</u></p> <p>Item 3 – Like-Kind Tubing w/Increased Wall Thickness <u>Deduct</u></p> <p>Item 4 – Tubing Cold Bending <u>Deduct</u></p>	<p align="center"><u>\$1,579,800.00</u></p> <p align="center"><u>\$4,000.00</u></p> <p align="center"><u>\$10,000.00</u></p> <p align="center"><u>\$16,000.00</u></p>	<p align="center">_____</p> <p align="center">_____</p> <p align="center">_____</p> <p align="center">_____</p>	<p align="center">_____</p> <p align="center">_____</p> <p align="center">_____</p> <p align="center">_____</p>	
2.	<p><u>Delivery Guarantee(s)</u></p> <p>Desired Delivery Date: March 17, 2023</p>	<p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center"><u>March 31, 2023</u></p>	<p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center">_____</p>	<p align="center"><u>Guaranteed Delivery Date</u></p> <p align="center">_____</p>	

FRASER STRYKER

PC LLO

LAWYERS

500 ENERGY PLAZA
409 SOUTH 17TH STREET
OMAHA, NEBRASKA 68102-2663
TELEPHONE 402.341.6000
FAX 402.341.8290
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TROY F. MEYERSON
DIRECT DIAL: 402.978.5347
TMEYERSON@FRASERSTRYKER.COM

April 29, 2022

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

RE: Request for Proposal No. 5960 -- Nebraska City Station Unit 2 Economizer Upper Bank Replacement ("RFP No. 5960")

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to RFP No. 5960 and provide the following opinion.

The proposal of IHI Inc. incorporates exceptions to the Terms and Conditions included in RFP No. 5960 which would materially increase the commercial and legal risks to be accepted by the District. As a result, we believe this bidder's proposal is legally non-responsive and should not receive further consideration from the District.

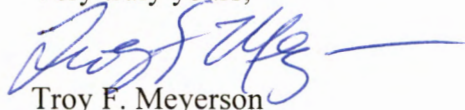
The proposal of GE Steam Power, Inc. states that its proposal is subject to cost and schedule adjustment at the time of award. Such exception is not allowed under applicable sealed bidding statutes. As a result, we believe this bidder's proposal is legally non-responsive and should not receive further consideration from the District.

The proposal of Chanute Manufacturing Company includes commercial and technical exceptions that should be evaluated by the District.

The proposal of Boiler Tube Company of America includes commercial and technical exceptions that should be evaluated by 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. 5960 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.

Very truly yours,



Troy F. Meyerson
FOR THE FIRM



Williams/Via

DRAFT
RESOLUTION NO. 65xx

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

REQUEST FOR PROPOSAL (RFP) NO. 5960
NEBRASKA CITY STATION UNIT 2 ECONOMIZER UPPER BANK MATERIALS

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 Boiler Tube Company of America in the amount of \$1,346,000.00 for the material design and supply of economizer upper bank tubing assemblies for the Nebraska City Station Unit 2 boiler pursuant to Request for Proposal No. 5960 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



Board Action

BOARD OF DIRECTORS

May 17, 2022

ITEM

Procurement of Material and Installation Services for Underground 69kV Transmission Cable

PURPOSE

Authorize Management to negotiate and enter into a contract, or contracts, for the procurement of 69kV underground cable and cable installation services to accommodate the relocation of a transmission line to support commercial development.


FACTS

1. The relocation of an overhead 69kV transmission line to an underground manhole duct system is needed to accommodate space constraints in a congested urban commercial redevelopment.
2. All costs associated with the 69kV transmission modifications will be fully reimbursed by the customer who is driving the commercial development.
3. The 69kV underground cable is part of a technically complex system and requires direct communication between OPPD and the manufacturer during the bidding process to optimize detailed design parameters.
4. Installation of underground transmission cable requires specialty contractors with input and oversight from the manufacturer.
5. Due to the ongoing supply chain issues, power cable manufacturers have been reluctant to commit to delivery schedules and proposal pricing long enough to satisfy the requirements of Nebraska Revised Statutes Sections 70-637 through 70-639, as amended, making it impractical and not in the public interest to proceed with the statutory sealed bid process.

ACTION

Approval of the Engineer's Certification and authorization for Management to negotiate and enter into a contract, or contracts, for material and installation services for procurement of 69kV underground cable to support a commercial development.

RECOMMENDED:

DocuSigned by:

 184167221FA24AE...
 Troy R. Via
 Chief Operating Officer and
 Vice President Utility Operations

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

 AG399FDGE56247E...
 L. Javier Fernandez
 President and Chief Executive Officer

TRV:ddb

Attachments: Letter of Recommendation
 Engineer's Certification
 Legal Opinion
 Resolution



MEMORANDUM

Date: May 6, 2022

From: D. D. Buelt

To: T. R. Via

Subject: Procurement of Material and Installation Services for Underground 69kV Transmission Cable

1.00 GENERAL

It is requested that the District negotiate and enter into a contract to procure 69kV underground cable to support the relocation of a transmission line. This relocation is to support University of Nebraska Medical Center's (UNMC) Saddle Creek Campus Expansion project.

Due to the congested, urban redevelopment, UNMC specifically requested for OPPD to relocate the transmission line to an underground manhole duct transmission line. While OPPD does have underground in our system, it is rare and we do not typically stock the material required for this type of work.

Recent experiences with multiple manufacturers have shown that lead times are getting longer and commodity prices are constantly fluctuating to the point that manufacturers will only hold proposal pricing and delivery schedules for less than a month, necessitating procurement contracts be signed on an expedited basis. In addition, the complex nature of transmission cable requires that the cable manufacturer be involved with the final details of engineering optimization as well as have direct oversight of the contractor responsible for the installation of the cable.

Due to the technically complex nature of these systems, the need for additional manufacturer involvement with the installation of the cable, and the supply chain issues being experienced, it will be in the interest of the District and the public to allow for a negotiated contract process.

2.00 RECOMMENDATION

An Engineer's Certification documenting the above points has been prepared. We recommend and request the Board of Directors approve the Engineer's Certification authorizing Management to negotiate and award competitively bid contracts for underground 69kV cable and installation services for this customer reimbursed project.

DocuSigned by:

Dannie D. Buelt

6DD7614246BB4BE

Dannie D. Buelt, P.E.
Director Engineering
Utility Operations

ENGINEER'S CERTIFICATION

As part of the development of University of Nebraska Medical Center's (UNMC) Saddle Creek Campus, OPPD has been requested to relocate a 69kV Overhead Transmission Line. Due to the congested, urban redevelopment, UNMC specifically requested for OPPD to relocate the transmission line to an underground, manhole duct transmission line. While OPPD does have underground transmission in our system, it is rare and we do not typically stock the material required for this type of work.

Recent OPPD experiences with multiple different manufacturers have shown that lead times are getting longer and commodity prices are constantly fluctuating to the point that manufacturers will only hold pricing and delivery schedules for less than a month, necessitating procurement contracts be signed on an expedited basis. In addition, the complex nature of transmission cable requires that the cable manufacturer be involved with the final details of engineering optimization as well as have oversight of the contractor responsible for the installation of the cable.

The undersigned professional engineer employed by OPPD certifies that compliance with the sealed bidding requirements of Nebraska statutes, specifically Nebraska Revised Statutes 70-637 to 639, is impractical and not in the public interest for the transmission cable for the following reasons:

- Underground transmission facilities are technically complex and the procurement of cable requires more direct communication to optimize detailed design parameters prior to issuing a contract for the cable.
- Construction of underground transmission requires specialty contractors, with input and oversight of the cable manufacturer.
- Negotiated contract processes would provide additional mechanisms to expedite material and installation schedules, and provide additional risk mitigation in securing contract pricing and delivery schedules.

Pursuant to Section 70-637 of the Nebraska Revised Statutes, as amended, the District's Board of Directors is requested to approve this Engineer's Certification and authorize Management to negotiate and enter into a contract or contracts with a qualified supplier or suppliers for the procurement of material and installation services for underground 69kV cable for the District without compliance with the sealed bidding requirements of Sections 70-637 to 70-639 of the Nebraska Revised Statutes.

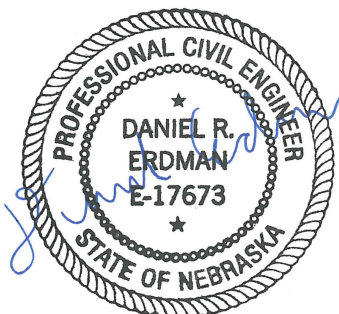
I, Daniel R. Erdman (registered Professional Civil Engineer in the State of Nebraska), certify the above to be true and correct to the best of my knowledge and belief.



Daniel R. Erdman, P.E.

05/09/2022

Date



05/09/2022



FRASER STRYKER

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STEPHEN M. BRUCKNER
DIRECT DIAL: 402.978.5225
SBRUCKNER@FRASERSTRYKER.COM

May 3, 2022

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

RE: Engineer's Certification; Procurement of Material and Labor for Installation of 69kV Underground Transmission Line

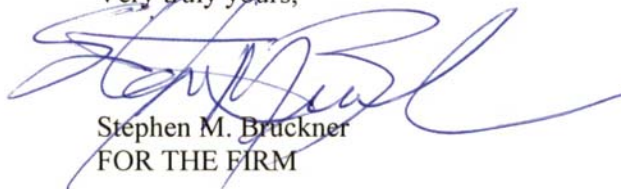
Ladies and Gentlemen:

We have reviewed the Engineer's Certification of Daniel R. Erdman, P.E., a professional engineer employed by the District. Mr. Erdman explains that the District has been approached to relocate a 69kV overhead transmission line in connection with a project at the University of Nebraska Medical Center ("UNMC") Saddle Creek Campus. Due to the congested urban area around the UNMC campus, UNMC has requested that the transmission line be relocated in an underground duct line. Mr. Erdman further explains that the District presently is experiencing longer lead times from cable contractors, and a hesitancy to hold prices and lead times during the normal sealed bidding process. Mr. Erdman certifies that it would be impractical and not in the public's interest to utilize the statutory sealed bid process in light of these conditions and the technically complex nature of the underground transmission line project, which includes the use of specialty contractors under negotiated contract terms that will secure contract pricing and delivery.

Section 70-637 of the Nebraska Revised Statutes authorizes the District's Board of Directors, by a two-thirds vote, to approve an Engineer's Certification when it is impractical or not in the public's interest to utilize sealed bidding, and to authorize the District to enter into a contract or contracts to complete the proposed project. The District is required to advertise its intention to enter into any such contract in three (3) newspapers of general circulation within the District's service area, with not less than seven (7) days between issues. The contract or contracts cannot be entered into sooner than twenty (20) days after the last advertisement.

It is our opinion that Mr. Erdman's Engineer's Certification complies with Section 70-637 of the Nebraska Revised Statutes and is in a form that is appropriate for approval by the District's Board of Directors. Therefore, the Board of Directors may approve the Engineer's Certification and authorize Management to negotiate and enter into the necessary contract or contracts for the procurement of material and labor for the UNMC transmission line relocation project without utilizing the sealed bid process.

Very truly yours,



Stephen M. Bruckner
FOR THE FIRM

SMB/sac
2807697



Williams/Via

DRAFT
RESOLUTION NO. 65xx

WHEREAS, the University of Nebraska Medical Center (UNMC) has requested the District to relocate an overhead transmission line to an underground manhole duct transmission line in order to support UNMC's Saddle Creek Campus Expansion project; and

WHEREAS, the 69kV underground cable is part of a technically complex system and requires direct communication between the District and the manufacturer during the bidding process to optimize detailed design parameters; and

WHEREAS, installation of the underground transmission cable will require specialty contractors with input and oversight from the transmission cable manufacturer; and

WHEREAS, due to ongoing supply chain challenges, transmission cable manufacturers are reluctant to hold pricing and delivery schedules long enough to complete the sealed bid process under Nebraska Revised Statutes Sections 70-637 through 70-639, as amended; and

WHEREAS, the District's Engineer has certified that a competitive Request for Proposals (RFP) process followed by negotiations with qualified bidders will allow the District the opportunity to increase the number of viable bids and achieve the most advantageous combination of commercial terms and technical requirements to procure the 69kV underground transmission cable; and

WHEREAS, for these reasons, the District's Engineer has certified that the use of sealed bidding would be impractical and not in the public interest; and

WHEREAS, pursuant to Nebraska Revised Statute Section 70-637 (as amended), and upon approval of the Engineer's Certification by the Board of Directors, the District may negotiate and enter into a contract or contracts related to the procurement and installation of such 69kV underground transmission cable without sealed bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that:

1. The Engineer's Certification requesting that the Board waive the sealed bid requirements, in accordance with Nebraska Revised Statutes Sections 70-637 through 70-639, is hereby approved.

2. Management is hereby authorized and directed to negotiate and enter into the necessary contract or contracts to procure and install 69kV underground transmission cable for UNMC's Saddle Creek Expansion project, subject to review and approval of the final contract(s) by the District's General Counsel.

3. The notice required by Nebraska Revised Statutes Section 70-637 shall be published in the Omaha World Herald, or other similar newspaper of general circulation.

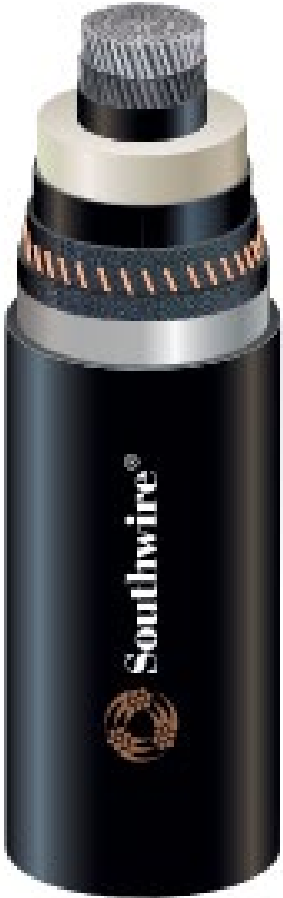


Underground 69kV Cable – Engineer’s Certification

Board of Directors
All Committees Meeting
May 17, 2022



Underground 69kV Cable
(EXAMPLE)



Ductbank
Construction
(EXAMPLE)



Transmission Cable Terminal
Structure (EXAMPLE)





BOARD OF DIRECTORS

Reporting Item

May 17, 2022

ITEM

Nuclear Oversight Committee Report

PURPOSE

The Nuclear Oversight Committee provides a regular oversight of items related to the Fort Calhoun Station (FCS) nuclear plant.

FACTS

In addition to safe and secure dry cask storage of fuel, the required Preventative Maintenance tasks and Surveillance Tests, the following major decommissioning activities were conducted:

- The reactor vessel internals segmentation effort continues to advance. Shipping of the segmented pieces is delayed due to a mechanical issue with equipment used to support shipping. Despite the delay, the project remains on track to complete segmentation by the end of the year.
- Representatives from the vendors providing equipment and support for the reactor vessel segmentation project were on-site to perform walk downs of the work area and engage with site personnel in planning activities. Key equipment is targeted for arrival in late 2022 and early 2023, with the primary on-site physical activities beginning in early 2023.
- The removal and recycling process of items within the Turbine building is on-track for completion within the next month. The effort will then shift to demolition of the structure shell, followed by demolition of the reinforced concrete turbine pedestal.

RECOMMENDED:

DocuSigned by:

Troy R. Via

181167224FA24AE...

Troy R. Via
Chief Operating Officer & Vice
President Utility Operations

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:

L. Javier Fernandez

AC399FD6E56247E...

L. Javier Fernandez
President and Chief Executive Officer

TRV:tsu



Pre-Committee Agenda

PUBLIC INFORMATION PRE-COMMITTEE MEETING
WEBEX VIDEOCONFERENCE
Friday, May 13, 2022 2:00 – 4:00 P.M.

1. Power with Purpose: Reliability (Underwood – 60 min)
 - a. Objective: Discuss PwP and reliability.
2. SD-11: Economic Development Policy Refinement (Olson – 10 min)
 - a. Objective: Committee to review and discuss the revisions of the policy.
3. Legislative and Regulatory Affairs Update (Olson – 20 min)
 - a. Objective: Provide brief update on federal and state legislative and regulatory activities.
4. Product Updates (McAreavey – 5 min)
 - a. Objective: Present an update on products.
5. Board Work Plan – Public Information Committee Items (Focht – 3 min)
 - a. Objective: Discuss Public Information Committee items on the Board work plan.
6. Summary of Committee Direction (2 min)
 - a. Objective: Executive leadership team liaison(s) to summarize direction provided by the committee.



Reporting Item

BOARD OF DIRECTORS

May 17, 2022

ITEM

Legislative and Regulatory Update

PURPOSE

To provide an update on 2022 state and federal legislative matters and regulatory matters

FACTS

- a. Nebraska's 107th Legislature 2nd session began on January 5, 2022 and ended on April 20, 2022.
- b. The 117th Congress began on January 3, 2021 and is expected to end January 3, 2023.

ACTION

Reporting item

RECOMMENDED:

DocuSigned by:
Lisa A. Olson
48058A9ADE8A409...

Lisa A. Olson
Vice President – Public Affairs

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:
L. Javier Fernandez
AC399FDCE56247E...

L. Javier Fernandez
President and Chief Executive Officer

Attachment: State and Federal Legislative Update

Government Affairs Update

5/17/2022

Tim O'Brien, Director – Economic Development & External Relations

State Legislative Update



2022 Nebraska Legislative Calendar

Nebraska's 107th Legislature, Second Session

- 60 day session
- January 5th – Legislature convened at 10 am
- January 10th - Debate begins for carry-over legislation
- January 14th - Final day to submit bill requests to Revisor of Statutes Office
- January 18th – Committee hearings begin
- January 20th – Last day of bill introduction
- February 17th – Final day to request speaker priority bills
- February 22nd – Final day to designate committee and senator priority bills
- February 23rd – Speaker to announce 2022 speaker priority bills
- March 3rd – Final day of committee hearings
- March 8th – Full day of floor debate begins
- April 20th – Sine die

2022 OPPD priority bills

LB & Current Status	Summary
LB 742 Erdman	Provide for minutes to be kept in an electronic record under the Open Meetings Act.
Neutral	<i>1/10/22 Referred to Government, Military and Veterans Affairs Committee, 2/9/22 Hearing held, 2/15/22 Placed on General file, 3/17/22 Placed on Select file, 4/5/22 Advanced to Final reading, 4/12/22 Passed on Final reading 42-0-7. 4/18/22 Signed by Governor</i>
LB 804 Hughes	Change compensation of certain members of the Nebraska Power Review Board.
Support	<i>1/10/22 Referred to Natural Resources Committee, 1/19/22 Hearing held, 2/3/22 Placed on General file, 2/23/22 Speaker priority bill, 3/2/22 Placed on Select file, 3/10/22 Advanced to Final reading, 4/12/22 Passed on Final reading 45-0-4. 4/18/22 Signed by Governor</i>
LB 847 Wishart	Redefine political subdivision under the Political Subdivisions Construction Alternatives Act.
Support	<i>1/10/22 Referred to Govt., Military and VA Committee, 1/28/22 Hearing held, 2/3/22 Placed on General file, 2/16/22 Placed on Select file, 3/2/22 Advanced to Final reading, 3/8/22 Passed on Final reading 44-0-5, 3/14/22 Signed by Governor</i>
LB 908 McDonnell	Provide additional requirements for virtual conferencing under the Open Meetings Act.
Neutral	<i>1/11/22 Referred to Govt., Military and VA Committee, 2/22/22 Placed on General file with AM1950, 3/14/22 AM 1950 adopted, 3/17/22 Placed on Select file, 4/5/22 Advanced to Final reading, 4/12/22 Passed on Final reading 44-1-4. 4/18/22 Signed by Governor</i>

2022 OPPD priority bills

LB & Current Status	Summary
LB 969 Dorn	Appropriate federal funds to the Department of Environment and Energy to improve reliability and resiliency of the electric grid.
Support	<i>1/12/22 Referred to Appropriations Committee, 2/16/22 Hearing held, 4/20/22 Indefinitely postponed</i>
LB 977 Slama	Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities.
Support	<i>1/12/22 Referred to Appropriations Committee, 2/16/22 Hearing held, 2/22/22 Slama priority bill, 3/14/22 Placed on General file with AM2310, 3/31/22 AM2310 adopted, 4/5/22 Placed on Select file, 4/8/22 Advanced to Final Reading, 4/12/22 Passed on Final reading with E clause 42-0-7. 4/18/22 Signed by Governor</i>
LB 1002 McDonnell	Appropriate federal funds to the Department of Health and Human Services for low-income home energy assistance.
Support	<i>1/13/22 Referred to Appropriations Committee, 3/2/22 Hearing held, 4/20/22 Indefinitely postponed</i>
LB 1045 Bostelman	Change qualifications of certain public power district board members.
Oppose	<i>1/20/22 Referred to Natural Resources Committee, 2/2/2022 Hearing held, 2/22/22 Natural Resources priority bill, 3/1/22 Placed on General file with AM2081, 4/20/22 Indefinitely postponed</i>
LB 1047 Bostelman	Change filing requirements with the Nebraska Power Review Board.
Oppose	<i>1/20/2022 Referred to Natural Resources Committee, 1/27/22 Hearing held, 3/1/22 Amended into LB 1045 with AM2081, 4/20/22 Indefinitely postponed</i>

2022 OPPD priority bills

LB & Current Status	Summary
LB 1058 Brewer	Provide requirements for public power suppliers relating to baseload units.
Oppose	<i>1/20/22 Referred to Natural Resources Committee, 1/28/22 Hearing held, 3/1/22 Amended into LB 1045 with AM2081, 4/20/22 Indefinitely postponed</i>
LB 1099 Bostelman	Create the Nebraska Hydrogen Hub Industry Work Group.
Support	<i>1/21/22 Referred to Natural Resources Committee, 2/9/22 Hearing held, 2/14/22 Bostelman priority bill, 2/15/22 Placed on General file with AM1895, 3/2/22 Placed on Select file, 3/8/22 Advanced to Final reading, 3/11/22 Passed on Final reading with E clause 47-0-2, 3/16/22 Signed by Governor</i>
LB 1100 Bostelman	Appropriate federal funds to the Department of Economic Development for a feasibility study relating to nuclear reactors.
Support	<i>1/21/22 Referred to Appropriations Committee, 2/16/22 Hearing held, 4/20/22 Indefinitely postponed</i>
LB 1102 Bostelman	Adopt the Nebraska Environment Response Act and change provisions relating to enforcement of environmental protection.
Monitor	<i>1/21/22 Referred to Natural Resources Committee, 2/3/22 Hearing held, 2/23/22 Placed on General file with AM1893, 2/23/22 Speaker priority bill, 3/15/22 Placed on Select file, 4/12/22 Advanced to Final reading, 4/12/22 Passed on Final reading 46-0-3, 4/18/22 Signed by Governor</i>

2022 OPPD priority bills

LB & Current Status	Summary
LB 1144 Friesen	Change provisions relating to the Nebraska Telecommunications Regulation Act and the Nebraska Broadband Bridge Act.
<i>Under Review</i>	<i>1/21/22 Referred to Trans and Telecom Committee, 2/8/22 Hearing held, 2/22/22 Trans and Telecom Committee priority bill, 3/8/22 Placed on General file with AM2107, 3/28/22 AM 2107 adopted, 3/30/22 Placed on Select file, 4/13/22 Advanced to Final reading, 4/13/22 Passed on Final reading with E clause 46-0-3, 4/19/22 Signed by Governor</i>
LB 1255 Bostar	Appropriate federal funds to the University of Nebraska for an updated climate change report.
<i>Support</i>	<i>1/24/22 Referred to Appropriations Committee, 3/3/22 Hearing held, 4/20/22 Indefinitely postponed</i>
LB 1257 Bostar	Appropriate federal funds to the Department of Transportation for grants for electric vehicle direct-current fast charging station.
<i>Neutral</i>	<i>1/24/22 Referred to Appropriations Committee, 2/23/22 Hearing held, 4/20/22 Indefinitely postponed</i>

2021 Carry over bills

LB & Current Status	Summary
LB 344 Friesen	Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee
Oppose	<i>1/15/21 Referred to Trans and Telecom Committee. 2/1/21 Hearing held, 2/24/21 Placed on General file with AM83, 2/17/22 Friesen AM1880 filed, 2/23/22 Speaker priority bill, 3/11/22 AM1880 adopted, 3/14/22 Placed on Select file, 3/22/22 Hearing held on AM1880, 4/20/22 Indefinitely postponed</i>
LB 460 Brandt	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission
Support	<i>1/20/21 Referred to Transportation and Telecommunication Committee, 2/9/21 Hearing held, 4/20/22 Indefinitely postponed</i>
LB 512 Brewer	Adopt the Critical Infrastructure Utility Worker Protection Act
Support	<i>1/22/21 Referred to Business and Labor Committee, 3/1/21 Hearing held, 2/15/22 Placed on General file with AM1620, 2/22/22 Business and Labor priority bill, 4/20/22 Indefinitely postponed</i>

2022 Interim Study

LR & Current Status	Summary
LR 295 Kolterman	Interim study to monitor underfunded defined benefit plans administered by the political subdivisions as required by 3-2402.
	<i>4/5/22 Referred to Nebraska Retirement Systems Committee</i>
LR 330 Linehan	Interim study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage.
	<i>4/5/22 Referred to Appropriations Committee</i>
LR 355 Bostelman	Interim study to examine and review Chapter 70 of the Nebraska Statutes relating to power districts and corporations.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 363 Bostelman	Interim study to examine the reprocessing and recycling of spent nuclear fuel.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 376 M. Hansen	Interim study to determine whether reports of the resistance of public agencies to fulfill public record requests are representative of a broad statewide issue or represent isolated incidents.
	<i>4/5/22 Referred to Government, Military and Veterans Affairs Committee</i>
LR 380 Day	Interim study to examine a potential limit on taxation of public and private pension income.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>

2022 Interim Study

LR & Current Status	Summary
LR 392 Friesen	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>
LR 393 J. Cavanaugh	Interim study to examine the committee hearing procedures of the Legislature.
	<i>4/5/22 Referred to Executive Board</i>
LR 394 J. Cavanaugh	Interim study to examine potential changes to Nebraska's net metering policy.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 401 Friesen	Interim study to review the administration of the Nebraska Broadband Bridge Act.
	<i>4/5/22 Referred to Transportation and Telecommunications Committee</i>
LR 402 McCollister	Interim study to assess the ranking criteria and practices of the Nebraska Environmental Trust.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 418 Bostar	Interim study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries.
	<i>4/5/22 Referred to Revenue Committee</i>

2022 Interim Study

LR & Current Status	Summary
LR 419 Bostelman	Interim study to examine the existing federal rule process for nuclear generation license renewal applications.
	<i>4/5/22 Referred to Natural Resources Committee</i>
LR 421 Bostar	Interim study to examine property rights issues.
	<i>4/5/22 Referred to Judiciary Committee</i>

Local Update



Local Update

- Continuing introductions of Javier to various public officials across the service territory through June.
- Continuing to add public officials to Everbridge automated calls at their request
- Recently visited villages, cities and counties to:
 - thank public officials and staff for their service
 - provide the new Power with Purpose handout
 - check in with villages/cities on the Arbor RR Line
 - provide the Stay Connected flier that lists our web properties




Federal Legislative Update



Federal Update

- Senate Budget reconciliation package.
 - House passed the Build Back Better bill (reconciliation package) on November 19th, but failed in the Senate and has been put off to address other priorities.
 - Bipartisan Senate meetings have taken place in the last two weeks; however, no indications that formal negotiations have taken place or that a new version of BBB will be presented prior to the Memorial Day deadline.
 - Related to this are the energy tax provisions. The wind PTC has expired and may be address later this year if a revised “BBB” package is revived.
- OPPD tracking potential funding opportunities available to public power utilities from the Infrastructure Investment and Jobs Act.
 - Funds have begun to be allocated to existing grant programs; however, new program funding remains to be allocated.
- 11,805 bills introduced in the 117th Congress as of May 6th.


PROPOSED REVISION FOR DISCUSSION 5/17/22

	OMAHA PUBLIC POWER DISTRICT Board Policy	Category:	Strategic Direction
	Policy No. and Name: SD-11: Economic Development	Monitoring Method:	Public Information Committee Board Report
		Frequency:	Annually
	Date of Approval:	July 16, 2015 [insert date]	Resolution No.:

Economic prosperity is foundational to cultivating vibrant and thriving communities we serve. OPPD’s strategic leadership and active participation in regional economic development initiatives will create a favorable environment to attract new business and help existing business customers to expand.

Therefore, OPPD shall exercise leadership and participate in economic development to:

- Attract, retain and expand businesses
- Serve as a trusted partner to local leaders on local, regional and statewide initiatives and activities in economic development, including workforce and community needs
- Offer and promote innovative tools, resources, programs or rates to educate our business customer owners and support economic growth, sustainability, cost savings or vitality
- Assist with site development to plan or best optimize our energy system by carrying out site due diligence and marketing efforts for businesses and industrial customer-owners

	OMAHA PUBLIC POWER DISTRICT Board Policy	Category:	Strategic Direction
	Policy No. and Name: SD-11: Economic Development	Monitoring Method:	Public Information Committee Board Report
		Frequency:	Annually
	Date of Approval: July 16, 2015		Resolution No.:

Economic prosperity is foundational to cultivating vibrant and thriving communities we serve. OPPD's strategic leadership and active participation in regional economic development initiatives will create a favorable environment to attract new business and help existing business customers to expand.

~~Promoting economic growth and vitality through the production of affordable, reliable, and environmentally sensitive energy is key to the success of OPPD. Therefore, OPPD shall exercise strategic leadership and actively participate in regional economic development.~~

Specifically~~Therefore~~, OPPD shall exercise leadership and participate in economic development to:

~~Exercise leadership and participate in economic development to cultivate the growth.~~

- ~~• Attract, retain and expand business to generate Create and retain revenue for in the District through the attraction of new business and, the retention and expansion of existing business, es, and by fostering economic growth in our communities.~~
- ~~• Align and maintain leadership with regards to economic development activities with local, regional, and statewide initiatives.~~
- ~~• Serve as a trusted partner to local leaders by providing leadership on local, regional and statewide initiatives and activities in economic development, including workforce and community needs~~
- ~~• Promote innovation while maintaining rate affordability, aligned with SD-2, by offering economic programs or rates.~~
- ~~• Offer, educate and promote innovative tools, resources, programs or rates to educate our business customer owners and that support economic growth, sustainability, cost savings or vitality.~~
- Assist with site development to plan or best optimize our energy system by carrying out site due diligence and marketing efforts for ~~large~~ businesses and industrial customer-owners.
- ~~• Give periodic updates to the Board on economic development projects.~~



DRAFT Agenda

**OPPD BOARD OF DIRECTORS
REGULAR BOARD MEETING
Thursday, May 19, 2022 at 5:00 P.M.**

*Conducted in person at the Omaha Douglas Civic Center, 1819 Farnam Street,
2nd Floor Legislative Chamber, Omaha, NE 68183*

*Public may attend in person at the Omaha Douglas Civic Center or remotely by going to
www.oppd.com/BoardAgenda to access the Webex meeting link and view materials.*

Preliminary Items

1. Chair Opening Statement
2. Safety Briefing
3. Guidelines for Participation
4. Roll Call
5. Announcement regarding public notice of meeting

Board Consent Action Items

6. Approval of the March 2022 Comprehensive Financial and Operating Reports, April 2022 Meeting Minutes and the May 19, 2022 Agenda
7. SD-3: Access to Credit Markets Monitoring Report – Resolution No. 6504
8. RFP 5960 – Nebraska City Station Unit 2 (NC2) Economizer Upper Bank Replacement – Materials Contract Award – Resolution No. 6505
9. 69kV Power Cable – Engineer's Certification – Resolution No. 6506

Board Discussion Action Items

10. [to be determined]

Other Items

11. Workforce Transformation/Technology Platform Strategic Initiative Unified Roadmap Update – M. V. Pinder, N. B. Swanson, K. W. Brown, S. C. Brown (40 mins)
12. President's Report (20 mins)
13. Opportunity for comment on other items of District business
14. Adjournment

Please use the link below to find all committee and board agendas, materials and schedules. Board governance policies and contact information for the board and senior management team also can be found at www.oppd.com/BoardMeetings.



Reporting Item

May 17, 2022

ITEM

Power with Purpose Solar Report

PURPOSE

Provide updates on the Power with Purpose solar project for May 2022.

SOLAR FACTS

1. Evaluating impacts of anti-circumvention investigation launched by the United States Department of Commerce from March 2022.
2. Conducting outreach across the OPPD service territory to provide education and advocacy on solar technology and solar project development.

RECOMMENDED:

DocuSigned by:
Brad Underwood
D78A6627EE154E8

Brad Underwood
Vice President – Systems Transformation

APPROVED FOR REPORTING TO BOARD:

DocuSigned by:
L. Javier Fernandez
AC399EDCE56247E

L. Javier Fernandez
President and Chief Executive Officer

BRU:ck

Power with Purpose Solar Update

May Committee Meeting – Open Session

May 17, 2022



Update on the Anti-circumvention Investigation

- US Department of Commerce is investigating whether Southeast Asian solar manufacturers are using parts made in China to circumvent tariffs
- Investigation focused on four countries (Cambodia, Malaysia, Thailand, Vietnam), representing over 80% of imported supply of panels in the US
- One primary concern of the investigation for the near-term is uncertainty, with potential impacts to pricing, project financing, and project schedules

DIVE BRIEF

Commerce Department kicks off 1-year solar tariff investigation on panels imported from Southeast Asia

Published March 29, 2022



Solar Power World

TOP SOLAR CONTRACTORS ARTICLES POLICY MARKETS PRODUCTS SUBSCRIBE RESOURCES

It took less than one week for solar panel deliveries to the United States to be canceled or delayed

This after the Commerce Dept. decided to investigate alleged tariff circumvention

By Kelly Pickereel | April 5, 2022

SEIA cuts PV forecast 46% due to anti-circumvention investigation

The latest update to the Solar Energy Industries Association's (SEIA) survey for solar workers and companies shows drastic outcomes for the industry if tariffs are imposed on countries under investigation.

APRIL 28, 2022 TIM SYLVIA

Impacts of Anti-circumvention and Solar Supply Chain Disruptions

- Significant slowdown in the solar market until further clarity is provided on the investigation (at least through August 2022)
- Many previously contracted projects have been delayed, put on hold, or are being renegotiated to address risk
- Contractors and developers are unable to provide firm pricing offers for projects until there is more certainty
- Sourcing of new solar projects will be challenged while the investigation is underway
- U.S. utilities are challenged to stay on track and meet commitments for plant retirements and/or near-term capacity expansions with increasing delays to solar projects
 - On May 4th, NiSource Inc. said it would delay the shutdown of an Indiana coal plant by two years

¹ <https://www.reuters.com/business/energy/us-utility-nisource-delay-coal-plant-shutdown-due-solar-market-freeze-2022-05-04/>

Mounting Pressure for Quicker Action

- Current anticipated investigation timeline:
 - May 16 – Auxin files final legal briefs providing Department of Commerce all materials needed
 - May 17 – August 29 – Department of Commerce to make a preliminary determination
- Bipartisan group of senators is calling on President Biden to conclude the investigation as quickly as possible
- Energy Secretary Granholm expressed concerns in achieving the Biden administration's goal of 100% clean electricity by 2035 if not resolved quickly
- Governors, both Democrat and Republican, have sent letters to urge a quick conclusion of the investigation
- Industry groups (American Clean Power, Solar Energy Industries Association, EEI, ACORE) held a joint Capitol Hill Briefing on May 12th

Solar Community Outreach – Ongoing



- OPPD continues advocacy and education to communities across the service territory
 - Javier continues to introduce himself around the service territory and provide education on Power with Purpose
- OPPD continues to partner with local jurisdictions to encourage favorable solar zoning regulations
- Further development of outreach materials
 - A Pitchbook will provide materials for counties and other local government officials to better understand solar
- These ongoing, coordinated efforts ensure OPPD is the best source of information