OPPD Board of Directors – All Committees Meeting  
Tuesday, June 15, 2021  
CLOSED SESSION – 8:00 AM – PUBLIC SESSION 10:00 A.M.  
Public may attend by going to www.oppd.com/CommitteeAgenda to access the Webex meeting link and view instructions.

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>TYPE</th>
<th>PRESENTER</th>
<th>TIME</th>
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</thead>
<tbody>
<tr>
<td>1. Chair Opening Statement</td>
<td></td>
<td>Bogner</td>
<td>8:00 A.M.</td>
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<tr>
<td>2. Closed Session</td>
<td></td>
<td></td>
<td>8:10 A.M.</td>
</tr>
<tr>
<td>Enterprise Risk Management Quarterly Update</td>
<td>Reporting</td>
<td>Focht</td>
<td>30 min</td>
</tr>
<tr>
<td>Polar Vortex After Action Review</td>
<td>Reporting</td>
<td>Focht</td>
<td>30 min</td>
</tr>
<tr>
<td>Corporate Officer Performance Reviews &amp; Compensation Adjustments – Juli Comstock &amp; Lisa Olson</td>
<td>Action</td>
<td>Burke</td>
<td>30 min</td>
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<tr>
<td><strong>BREAK</strong></td>
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<td>9:40 A.M.</td>
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<tr>
<td><strong>Open Webex Meeting to Allow Public to Join</strong></td>
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<td>9:45 A.M.</td>
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<td>3. Public Session – Chair Opening Statement</td>
<td></td>
<td>Bogner</td>
<td>10:00 A.M.</td>
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<tr>
<td>4. Safety Briefing</td>
<td></td>
<td>Burke</td>
<td>10:05 A.M.</td>
</tr>
<tr>
<td>5. Governance Committee</td>
<td></td>
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<td>10:10 A.M.</td>
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<tr>
<td>Governance Chair Report (6/10/21)</td>
<td>Reporting</td>
<td>Moody</td>
<td>10 min</td>
</tr>
<tr>
<td>SD-15: Enterprise Risk Management Monitoring Report</td>
<td>Action</td>
<td>Focht</td>
<td>30 min</td>
</tr>
<tr>
<td>Annual Health Plan Report</td>
<td>Action</td>
<td>Sedky</td>
<td>20 min</td>
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<tr>
<td>6. Finance Committee</td>
<td></td>
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<td>11:10 A.M.</td>
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<tr>
<td>Finance Chair Report (6/3/21)</td>
<td>Reporting</td>
<td>Yoder</td>
<td>10 min</td>
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<tr>
<td>SD-2: Rates Monitoring Report</td>
<td>Action</td>
<td>Fernandez</td>
<td>60 min</td>
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<tr>
<td><strong>BREAK FOR LUNCH</strong></td>
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<td>12:20 P.M.</td>
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<tr>
<td><strong>Finance Committee (continued)</strong></td>
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<td>12:50 P.M.</td>
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<tr>
<td>Authorization for Additional Debt Financing</td>
<td>Action</td>
<td>Fernandez</td>
<td>20 min</td>
</tr>
<tr>
<td>Rate Design Changes to Rate 110M, 469W and 483</td>
<td>Action</td>
<td>Fernandez</td>
<td>20 min</td>
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<tr>
<td>7. System Management &amp; Nuclear Oversight Cmte</td>
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<td></td>
<td>1:30 P.M.</td>
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<tr>
<td>SM&amp;NO Chair Report</td>
<td>Reporting</td>
<td>Williams</td>
<td>10 min</td>
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<tr>
<td>Underground Streetlight Cable Repair Contract</td>
<td>Action</td>
<td>Via</td>
<td>10 min</td>
</tr>
<tr>
<td>Substation Control Building Enclosure</td>
<td>Action</td>
<td>Via</td>
<td>10 min</td>
</tr>
<tr>
<td>Foundations, Ductlines, and Miscellaneous Work for 161kV Substation</td>
<td>Action</td>
<td>Via</td>
<td>10 min</td>
</tr>
<tr>
<td>BRIGHT Project Update</td>
<td>Presentation</td>
<td>Fisher</td>
<td>30 min</td>
</tr>
<tr>
<td>Nuclear Oversight Committee Report</td>
<td>Reporting</td>
<td>Fisher</td>
<td>10 min</td>
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<tr>
<td><strong>BREAK</strong></td>
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<td>2:50 P.M.</td>
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<tr>
<td>8. Public Information Committee</td>
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<td>3:00 P.M.</td>
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<tr>
<td>Public Information Chair Report (6/8/21)</td>
<td>Reporting</td>
<td>Mollhoff</td>
<td>10 min</td>
</tr>
<tr>
<td>Customer Trends Update (Due to time, will not be presented. Update will be posted on oppd.com.)</td>
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<tr>
<td>Legislative and Regulatory Update</td>
<td>Reporting</td>
<td>Olson</td>
<td>30 min</td>
</tr>
</tbody>
</table>

* 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.
<table>
<thead>
<tr>
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<th>PRESENTER</th>
<th>TIME*</th>
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</thead>
<tbody>
<tr>
<td>9. Other Business</td>
<td></td>
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<td>3:40  P.M.</td>
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<tr>
<td>Confirmation of Board Meeting Agenda</td>
<td>Action</td>
<td>Bogner</td>
<td>5 min</td>
</tr>
<tr>
<td>Review of Board Work Plan</td>
<td>Discussion</td>
<td>Bogner</td>
<td>5 min</td>
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BOARD OF DIRECTORS

June 15, 2021

ITEM

Award Underground Street Light Cable Repair

PURPOSE

Board of Directors authorization to award a contract for construction services associated with the repair of underground street light cable.

FACTS

a. Contract provides additional construction labor to support the District’s current resources.

b. Contract is for time and labor, based on unit pricing.

c. Contract provides a three (3) year initial term, with the option to renew three (3) additional (1) year terms.

d. Five (5) proposals were received. The proposals are legally and technically responsive.

e. Nielsen Construction’s proposal was evaluated to be the lowest and best bid.

f. Construction will begin June 2021.

ACTION

Authorization by the Board to award a labor contract to Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms based on Management’s assessment of the contractor’s performance and pricing, based on the evaluation of RFP No. 5877 “Underground Street Light Cable Repair” for the procurement of construction services to replace failed cable for existing street lights. The projected work for the underground street light repairs during the first year, June 2021 to June 2022, is Six Hundred Eighty Eight Thousand, Nine Hundred Fifty dollars ($688,950.00).

RECOMMENDED:

APPROVED FOR BOARD CONSIDERATION:

Troy R. Via
Vice President – Energy Delivery

Timothy J. Burke
President and Chief Executive Officer

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

Date: June 15, 2021
From: J. E. Buckley
To: T. R. Via

RFP No. 5877
"Underground Street Light Cable Repair"
Analysis of Proposals

1.00 GENERAL

RFP No. 5877 was advertised for bid on April 9, 2021.

This contract will procure construction services for the replacement of failed/damaged cable to existing street lights.

Construction is scheduled to begin June 25, 2021 and conclude by June 25, 2027.

OPPD will award this contract for a three (3) year initial term, beginning in calendar year 2021. OPPD will have option to renew the contract with three (3) additional one (1) year contract renewal terms.

No Addendums were issued.

One (1) Letter of Clarification was issued. Letter was sent to all bidders on April 29, 2021. The letter answered nine general questions. All questions were submitted by the question submission deadlines.

Bids were requested and opened at 2:00p.m., C.S.T., Tuesday, May 11, 2021.

Five total proposals were received. The proposals received are summarized in the table below:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Unit Pricing Total</th>
<th>Legally Responsive</th>
<th>Technically Responsive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nebcon Inc.</td>
<td>$1,543,150.00</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Bauer Underground Inc.</td>
<td>$2,491,850.00</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Nielsen Construction</td>
<td>$988,950.00</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Danielson Incorporated</td>
<td>$1,339,152.50</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>MP Nexlevel, LLC</td>
<td>$1,264,368.00</td>
<td>Yes</td>
<td>Yes</td>
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</table>
2.00   COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

The District’s legal counsel noted that subject to the District’s technical and economic evaluation, the five (5) proposals received in response to the District’s RFP No. 5877 may be considered by the District’s Board of Directors for award of this contract.

3.00   COMPLIANCE WITH TECHNICAL REQUIREMENTS

All proposals were deemed to be technically responsive.

4.00   RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5877 “Underground Street Light Cable Repair” be awarded to Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms based on Management’s assessment of the contractor’s performance and pricing. The projected work for the underground street light repairs during the first year, June 2021 to June 2022, is Six Hundred Eighty Eight Thousand, Nine Hundred Fifty dollars ($688,950.00).

John E. Buckley
Director Work Management
Energy Delivery
# SUPPLIER'S BID

**1. Price Proposal:**

Underground Street Light Cable Repair

- **Bauer Underground**
  - 3700 W Norfolk Ave
  - Norfolk, NE 68702
  - **Lump Sum Firm Price of Unit Prices in Attachment A**
    - **$2,491,850.00**

- **Danielson Construction**
  - 12920 Jaynes Circle
  - Omaha, NE 68164
  - **$1,339,152.50**

- **MP Nexlevel**
  - 9938 State Hwy 55
  - Maple Lake, MN 55358
  - **$1,264,368.00**

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**ENGINEER'S ESTIMATE**

- **$860,161.00**

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**REQUEST FOR PROPOSAL NO. 5877**

Underground Street Light Cable Repair

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**BIDDER'S NAME & ADDRESS**

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<tr>
<th>BID ITEM</th>
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**TABULATION OF BIDS**

Opened at 2:00 p.m., C.D.T., Tuesday, May 11, 2021, in Omaha, Nebraska

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**REQUEST FOR PROPOSAL NO. 5877**

Underground Street Light Cable Repair

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Underground Street Light Cable Repair

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Underground Street Light Cable Repair

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Underground Street Light Cable Repair

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**REQUEST FOR PROPOSAL NO. 5877**

Underground Street Light Cable Repair

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**ENGINEER'S ESTIMATE**

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Opened at 2:00 p.m., C.D.T., Tuesday, May 11, 2021, in Omaha, Nebraska

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<tbody>
<tr>
<td>NebCon Inc.</td>
<td>Underground Street Light Cable Repair</td>
<td>$1,543,150.00</td>
<td>$688,950.00</td>
<td></td>
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<tr>
<td>1571 Deer Creek Drive</td>
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<tr>
<td>Fort Calhoun, NE 68023</td>
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<tr>
<td>Nielsen Construction</td>
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<tr>
<td>10120 S. 148th Street</td>
<td></td>
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<td></td>
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<tr>
<td>Omaha, NE 68138</td>
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**ENGINEER'S ESTIMATE**
$860,161.00

**REQUEST FOR PROPOSAL NO. 5877**
Underground Street Light Cable Repair

**Opened at 2:00 p.m., C.D.T., Tuesday, May 11, 2021, in Omaha, Nebraska**

<table>
<thead>
<tr>
<th>Anticipated Award Date</th>
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<tbody>
<tr>
<td>June 17, 2021</td>
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</table>

**BID ITEM**

1. **Price Proposal:**
   Underground Street Light Cable Repair

   **Lump Sum Firm Price of Unit Prices in Attachment A**

<table>
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</table>
May 17, 2021

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

RE: Request for Proposal No. 5877 - Underground Streetlight Cable Repair ("RFP No 5877")

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to RFP No. 5877. The proposals are complete and none of the bidders take exception to the District's contract documents.

Subject to the District's technical and economic evaluation, all of the proposals for RFP No. 5877 may be considered by the District's Board of Directors for the award of the contract. If a bond is required, the form of the bond for the successful bidder also must be approved by the Board.

Very truly yours,

Stephen M. Bruckner
FOR THE FIRM

SMB:sac
2497274
WHEREAS, sealed bids were requested and advertised, as required by law, for the following:

REQUEST FOR PROPOSAL (RFP) NO. 5877
UNDERGROUND STREET LIGHT CABLE REPAIR

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, RFP No. 5877 is for an initial three (3) year contract term with the option for OPPD to renew the contract with the successful bidder for up to three (3) additional one (1) year contract renewal terms, based on OPPD’s annual assessment of Contractor’s performance and pricing; 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 Management hereby is authorized and directed to accept the proposal of Nielsen Construction to procure labor to replace failed cable for existing street lights, as set forth in the Request for Proposal No. 5877 “Underground Street Light Cable Repair” and to enter into a contract with Nielsen Construction for an initial term of three (3) years, with an option to renew for up to three (3) additional one (1) year contract terms, based on Management’s assessment of the contractor’s performance and pricing, and the bond of such bidder hereby is approved.
Board Action

BOARD OF DIRECTORS

June 15, 2021

ITEM

Award RFP No. 5859 “Substation Control Building Enclosure”

PURPOSE

Board of Directors authorization to award Request for Proposal (RFP) No. 5859 to provide material and construction services for one (1) Substation Control Building Enclosure to support development of a new substation.

FACTS

a. Development of this substation supports load growth and reliability in the Sarpy County area.

b. Substation control buildings house equipment to monitor, control, protect, operate, and maintain the energy delivery system.

c. Four (4) proposals were received. Three proposals are legally responsive and two technically responsive.

d. Delivery of the substation control building enclosure is scheduled for February 11, 2022.

e. The bid from Electrical Power Products, Inc. was evaluated to be the lowest and best bid.

ACTION

Authorization by the Board to award the contract for RFP 5859 Substation Control Building Enclosure to Electrical Power Products, Inc. in the amount of One Million, One Hundred Fifteen Thousand, Seven Hundred Eleven dollars ($1,115,711.00).

RECOMMENDED:                APPROVED FOR BOARD CONSIDERATION:

Troy R. Via  Timothy J. Burke
Vice President – Energy Delivery  President and Chief Executive Officer

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

Date: June 11, 2021
From: D. D. Buelt
To: T. R. Via

RFP No. 5859
“Substation Control Building Enclosure”
Analysis of Proposals

1.00 GENERAL

RFP No. 5859 was advertised for bid on May 11, 2021.

This contract will procure one (1) complete control building delivered to the substation with included equipped building, relay panels, batteries and other substation building equipment to support load growth and reliability in the Sarpy County area.

Delivery of the substation control building enclosure is scheduled for February 11, 2022.

No Letters of Clarification (LOC) or Addendums were issued.

Bids were requested and opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021.

Four total proposals were received. The proposals received are summarized in the table below:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Lump Sum Firm Price</th>
<th>Legally Responsive</th>
<th>Technically Responsive</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZZ Enclosure Systems</td>
<td>$601,157.00</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Electrical Power Products, Inc.</td>
<td>$1,115,711.00</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Keystone Electrical Manufacturing</td>
<td>$1,135,343.98</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Electro Technical Industries</td>
<td>$1,978,684.46</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

In the opinion of the District’s legal counsel the proposal from AZZ specifies that the project will be governed by AZZ's preprinted contract terms and conditions. This renders the proposal materially non-responsive to the District's RFP, and the AZZ proposal cannot be considered by the
Board of Directors for the award of this contract. Proposals from Keystone Electrical Manufacturing Co. and Electrical Power Products, Inc. both stated that they are valid for thirty (30) days and if this is not sufficient for Board review and approval, letters are clarification must be obtained. These two proposals also include guarantee completion dates for the work in terms of specified number of weeks following receipt of an order. In its evaluation, the District will have to assume the latest date specified for the date the District anticipates issuing a contract for this RFP. Finally, both proposals contain technical clarifications and exceptions, including freight, warranty, and payment, that are subject to evaluation by the District.

The proposal of Electro Technical Industries does not contain any exceptions or clarifications.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received for RFP No. 5859, with the exception of the AZZ’s proposal, may be considered by the Board of Directors for the award of this contract. The form of performance and payment bond, if applicable, must be approved by the Board.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

Two proposals received are technically responsive and two proposal are technically non-responsive as the bids excluded unit pricing for building contents; i.e. relay panels, batteries, etc.

4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5859, “Substation Control Building Enclosure” be awarded to Electrical Power Products, Inc. in the amount of One Million, One Hundred Fifteen Thousand, Seven Hundred Eleven ($1,115,711.00).

Dannie Buelt, PE
Director Engineering
Energy Delivery
1. Price Proposal:

1.1 Firm base price to furnish one (1) Sub 1362 Substation Control Building Enclosure as indicated on the drawings and detailed in the technical specifications of this RFP.

   $559,282.00*

1.2 Firm base price to deliver, FOB foundation, to the delivery location, and complete Sub 1362 Substation Control Building Enclosure installation, and completing any punch list items per drawings and as detailed in the technical specifications of this RFP.

   $41,875.00

1.3 Total lump sum price to furnish, deliver and install Sub 1362 Substation Control Building Enclosure. (Proposal Price(s) 1.1 + 1.2)

   $601,157.00*

2. Completion Guarantee(s):

   Sub 1362: February 11, 2022

   Guaranteed Completion Date
   18 weeks lead time
   22-24 weeks ARO
   February 11, 2022

*Freight not included
### TABULATION OF BIDS
Opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021, in Omaha, Nebraska

<table>
<thead>
<tr>
<th>Anticipated Award Date</th>
<th>June 17, 2021</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>ENGINEER’S ESTIMATE</th>
<th>$1,400,000.00</th>
</tr>
</thead>
</table>

### REQUEST FOR PROPOSAL NO. 5859
Substation Control Building Enclosure

### BIDDER'S NAME & ADDRESS

| BID ITEM | Keystone Electrical  
2511 Bell Ave  
Des Moines, IA 50321 |
|----------|---------------------|

<table>
<thead>
<tr>
<th>SUPPLIER'S BID</th>
<th>SUPPLIER'S BID</th>
<th>SUPPLIER'S BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,135,343.98</td>
<td>$1,135,343.98</td>
<td>$1,135,343.98</td>
</tr>
</tbody>
</table>

### 1. Price Proposal:

1.1 **Firm base price to furnish one (1) Sub 1362 Substation Control Building Enclosure as indicated on the drawings and detailed in the technical specifications of this RFP.**

1.2 **Firm base price to deliver, FOB foundation, to the delivery location, and complete Sub 1362 Substation Control Building Enclosure installation, and completing any punch list items per drawings and as detailed in the technical specifications of this RFP.**

1.3 **Total lump sum price to furnish, deliver and install Sub 1362 Substation Control Building Enclosure.** (Proposal Price(s) 1.1 + 1.2)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,135,343.98</td>
<td></td>
</tr>
</tbody>
</table>

### 2. Completion Guarantee(s):

<table>
<thead>
<tr>
<th>Guaranteed Completion Date</th>
<th>Guaranteed Completion Date</th>
<th>Guaranteed Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub 1362: February 11, 2022</td>
<td>12-14 weeks ARO</td>
<td></td>
</tr>
</tbody>
</table>
June 9, 2021

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

RE: Request for Proposal No. 5859-Substation 1362 ("RFP No. 5859")

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to RFP No. 5859 and provide the following legal opinion.

The proposal of AZZ, Inc. specifies that the project will be governed by AZZ's preprinted contract terms and conditions. This renders the proposal materially non-responsive to the District's RFP, and the AZZ proposal cannot be considered by the Board of Directors for the award of this contract.

The proposals of Keystone Electrical Manufacturing Co. and Electrical Power Products, Inc. both state that the proposals are valid for thirty (30) days. If this time is not sufficient for Board review and approval, letters of clarifications must be obtained from these bidders stating that the proposals will remain valid for the period of time necessary for Board review and approval. Additionally, these two proposals also state the requested delivery date as a matter of weeks "after receipt of order" from the District. In its evaluation, the District will have to assume the latest date specified from the date the District anticipates issuing a contract for this RFP. Finally, both proposals contain technical clarifications and exceptions, including freight, warranty, and payment, that are subject to evaluation by the District.

The proposal of Electro Technical Industries, Inc. does not contain any exceptions or clarifications.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received for RFP No. 5859, with the exception of the AZZ, Inc. proposal, may be considered by the Board of Directors for the award of this contract. The form of performance and payment bond, if applicable, must be approved by the Board.
June 9, 2021

Page 2

Very truly yours,

Stephen M. Bruckner
FOR THE FIRM
WHEREAS, sealed bids were requested and advertised, as required by law, for the following:

REQUEST FOR PROPOSAL (RFP) NO. 5859
SUBSTATION CONTROL BUILDING ENCLOSURE

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 Management hereby is authorized and directed to accept the proposal of Electrical Power Products, Inc. in the amount of $1,115,711.00 for a substation control building enclosure pursuant to Request for Proposal No. 5859, and the form of payment and performance bond for such bidder hereby is approved.
Substation Control Buildings house equipment to monitor, control, protect, operate, and maintain the energy delivery system.
BOARD OF DIRECTORS

June 15, 2021

ITEM

Award RFP No. 5881 “Foundations, Ductlines, and Miscellaneous Work for 161kV Substation”

PURPOSE

Board of Directors authorization to award Request for Proposal (RFP) No. 5881 Foundations, Ductlines, and Miscellaneous Work for 161kV Substation to support development of a new substation.

FACTS

a. RFP No. 5881 includes the receipt of materials and construction services for the development of a substation to support load growth and reliability in the Sarpy County area.

b. Substation foundations provide structural bases for placement of steel supports and equipment including breakers, transformers and buildings. Ducts provide a conduit to electrically connect various devices. Grounding ensures safety to personnel in the substation and provides the ground connection for various devices. Miscellaneous work includes traffic control, material handling, stormwater control, rock surfacing, and other construction related activities.

c. Six (6) proposals were received; five are legally responsive and all are technically responsive.


e. The proposal from Peak Contracting Group, LLC was evaluated as the lowest and best bid.

ACTION

Authorization by the Board to award the contract for RFP 5881 Foundations, Ductlines, and Miscellaneous Work for 161kV Substation to Peak Contracting Group, LLC in the amount of One Million, Five Thousand, Three Hundred Twenty Four dollars and 30 cents ($1,005,324.30).

RECOMMENDED:  
Troy R. Via  
Vice President – Energy Delivery

APPROVED FOR BOARD CONSIDERATION:  
Timothy J. Burke  
President and Chief Executive Officer

Attachments:  
Analysis of Proposals  
Tabulation of Bids  
Legal Opinion  
Resolution
Date: June 11, 2021
From: D. D. Buelt
To: T. R. Via

RFP No. 5881 “Foundations, Ductlines, and Miscellaneous Work for 161kV Substation”
Analysis of Proposals

1.00 GENERAL

RFP No. 5881 was advertised for bid on May 11, 2021.

This contract will procure material and construction services for installation of foundations, ducts, and grounding of a new substation to support load growth and reliability in the Sarpy County area.

Construction is scheduled to begin August 2, 2021 and conclude December 15, 2021.

Three (3) Letters of Clarification (LOC) were issued to address questions on unit item quantities, permitting, geotechnical report, material, site power and temporary site fence.

Two (2) Addendums were issued to correct unit pricing quantities for three foundation items and a unit of measurement for the precast concrete raceway item.

Bids were requested and opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021.

Six total proposals were received. The proposals received are summarized in the table below:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Lump Sum Firm Price</th>
<th>Legally Responsive</th>
<th>Technically Responsive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Contracting Group, LLC.</td>
<td>$1,005,324.30</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Dezort, Inc.</td>
<td>$1,035,685.69</td>
<td>*</td>
<td>Yes</td>
</tr>
<tr>
<td>Midwest Infrastructure, Inc.</td>
<td>$1,199,515.28</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Conductor Power, LLC.</td>
<td>$1,333,181.57</td>
<td>*</td>
<td>No</td>
</tr>
<tr>
<td>Thompson Construction, Inc.</td>
<td>$1,349,150.96</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Integrated Power Co.</td>
<td>$1,462,186.32</td>
<td>*</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Evaluated pricing identified as Dezort - $1,030,685.79, Conductor Power - $1,333,179.57, and Integrated Power - $1,462,256.32 due to unit pricing calculation error.
2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

In the opinion of the District’s legal counsel the proposal from Conductor Power, LLC did not list the guaranteed delivery dates as requested. The District would need to obtain a Letter of Clarification from Conductor Power stating that the dates set forth on its project schedule are the guaranteed completion dates for the project. No exceptions or clarifications or missing information was noted in any of the other five (5) proposals. Subject to the foregoing comments, District’s technical and economic evaluation, proposals may be considered by the District’s Board of Directors for award.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

All proposals were deemed to be technically responsive.

4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 5881 “Foundations, Ductlines, and Miscellaneous Work for 161kV Substation” be awarded to Peak Contracting Group, LLC. in the amount of One Million, Five Thousand, Three Hundred Twenty Four dollars and 30 cents ($1,005,324.30).

_____________________________
Dannie Buelt, PE
Director Engineering
Energy Delivery
### TABULATION OF BIDS
Opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021, in Omaha, Nebraska

| Anticipated Award Date | June 17, 2021 |

| **ENGINEER'S ESTIMATE** | $2,050,000.00 |

---

### REQUEST FOR PROPOSAL NO. 5881
Foundation, Ductlines, and Miscellaneous Work for 161kV Substation

**BID ITEM**

<table>
<thead>
<tr>
<th>BIDDER'S NAME &amp; ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conductor Power LLC LLC 4993 Gull Lake Dam Road Brainerd, MN 56401</td>
</tr>
<tr>
<td>Dezort, Inc PO Box 217 North Platte, NE 69103</td>
</tr>
<tr>
<td>Integrated Power Co. PO Box 1743 North Platte, NE 69103</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SUPPLIER'S BID</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Price Proposal:</strong></td>
</tr>
<tr>
<td>Attachment A Total Price $1,333,181.57 $1,035,685.69 $1,462,186.32</td>
</tr>
<tr>
<td><strong>2. Delivery Guarantee(s):</strong></td>
</tr>
<tr>
<td>Guaranteed Date None provided August 2, 2021 August 2, 2021</td>
</tr>
<tr>
<td>Final Completion None provided December 15, 2021 December 15, 2021</td>
</tr>
</tbody>
</table>
**REQUEST FOR PROPOSAL NO. 5881**  
Foundation, Ductlines, and Miscellaneous Work for 161kV Substation

**ENGINEER’S ESTIMATE**  
$2,050,000.00

<table>
<thead>
<tr>
<th>BID ITEM</th>
<th>MIDWEST INFRASTRUCTURE, INC.</th>
<th>PEAK CONTRACTING GROUP LLC</th>
<th>THOMPSON CONSTRUCTION, INC.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5320 N 148th Street</td>
<td>515 South 3rd Street</td>
<td>2404 N Lincoln Ave</td>
</tr>
<tr>
<td></td>
<td>Lincoln, NE 68527</td>
<td>Springfield, NE 68059</td>
<td>Fremont, NE 68205</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BIDDER'S NAME &amp; ADDRESS</th>
<th>SUPPLIER'S BID</th>
<th>SUPPLIER'S BID</th>
<th>SUPPLIER'S BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Midwest Infrastructure, Inc.</td>
<td>$1,199,515.28</td>
<td>$1,005,324.30</td>
<td>$1,349,150.96</td>
</tr>
<tr>
<td>Peak Contracting Group LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thompson Construction, Inc</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. Price Proposal:</th>
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<tbody>
<tr>
<td>Attachment A Total price</td>
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<tr>
<td>$1,199,515.28</td>
</tr>
<tr>
<td>$1,005,324.30</td>
</tr>
<tr>
<td>$1,349,150.96</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Completion Guarantee(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guaranteed Date</td>
</tr>
<tr>
<td>August 2, 2021</td>
</tr>
<tr>
<td>August 2, 2021</td>
</tr>
<tr>
<td>August 2, 2021</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mobilization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Completion</td>
</tr>
<tr>
<td>December 15, 2021</td>
</tr>
<tr>
<td>December 15, 2021</td>
</tr>
<tr>
<td>December 15, 2021</td>
</tr>
</tbody>
</table>
June 9, 2021

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

RE: Request for Proposal No. 5881-Foundations, Duct Lines and Miscellaneous Work for 161kV Substation ("RFP No. 5881")

Ladies and Gentlemen:

We reviewed the six (6) proposals received in response to RFP No. 5881 and provide the following legal opinion.

The Proposal section of the bid documents submitted by Conductor Power, LLC does not list the guaranteed delivery dates as requested in that section. However, on page 95 of the proposal, Conductor Power refers to a "project schedule" that is included in the proposal packet. The last page of the packet includes a project schedule that lists specified dates for this project. In order for the Conductor Power proposal to receive further consideration by the Board, the District should obtain a letter of clarification from Conductor Power stating that the dates set forth on its project schedule are the guaranteed completion dates for the project. Without this clarification, the Conductor Power proposal should not receive further consideration.

There are no exceptions or clarifications or missing information in any of the other five (5) proposals for this project.

Subject to the foregoing comments and the District's technical and economic evaluation, the proposals received in response to RFP No. 5881 may be considered by the District's Board of Directors for the award of this contract. The performance and payment bond of the successful bidder also must be approved by the Board.

Very truly yours,

Stephen M. Bruckner
FOR THE FIRM
WHEREAS, sealed bids were requested and advertised, as required by law, for the following:

REQUEST FOR PROPOSAL (RFP) NO. 5881
FOUNDATIONS, DUCTLINES, AND MISCELLANEOUS WORK
FOR 161KV SUBSTATION

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 Management hereby is authorized and directed to accept the proposal of Peak Contracting Group LLC in the amount of $1,005,324.30 for the construction of 161kV substation foundations, ductlines and miscellaneous work pursuant to Request for Proposal No. 5881, and the form of payment and performance bond for such bidder hereby is approved.
Foundations, Ducts, Grounding Examples

- Cable Trench
- Pier Formwork
- Pier Foundations
- Rebar Cages
BRIGHT Battery Pilot Update

Board of Directors Committee Meeting
June 15, 2021
Agenda

• Project Milestones
• Use Case Analysis
• Project Cycles & Sizing Selection
• State Regulatory Approval
• Next Steps
BRIGHT Milestones

- **NET Grant Awarded to OPPD**: June 2020
- **Energy Storage RFI**: July 2020
- **Storage Vendor Workshops**: Fall 2020
- **Owner’s Engineer Evaluation**: Jan 2021
- **Draft & Release RFP**: Spring 2021
- **Analyze RFP**: Summer 2021
- **Contract Award**: Summer 2021
- **Anticipated Commercial Operation**: 2022

---

NET – Nebraska Environmental Trust
RFI – Request for Information
RFP – Request for Proposals
Use Case Analysis
Project Analysis

- Evaluation conducted
  - Site analysis
  - Substation feeder analysis
  - Technoeconomic analysis

- Key lessons learned:
  - Batteries provide a range of applications, but they cannot do everything at once
  - Certain use cases must be prioritized over others
  - Successful projects align on scope and sizing up front, then build RFP accordingly
  - Certain applications require extra cost and planning up front (i.e. equipment, design)
# Use Cases Evaluated for BRIGHT Project

Potential use cases consider cost, grant requirements, timeline, location, and organizational learning.

<table>
<thead>
<tr>
<th>Use Case</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Shifting</td>
<td>Charging/discharging to move electricity consumption from one time period to another</td>
</tr>
<tr>
<td>-Peak Load Reduction</td>
<td>Defer or eliminate future system upgrade costs</td>
</tr>
<tr>
<td>-Energy Arbitrage</td>
<td>Provides value by charging during off-peak hours, discharging during peak hours</td>
</tr>
<tr>
<td>Voltage Support</td>
<td>Provides reactive power through the inverter</td>
</tr>
<tr>
<td>Southwest Power Pool</td>
<td>Participates in SPP’s energy and ancillary services market (current services: Real-Time &amp; Day-Ahead Energy, Spinning and Supplemental Reserves, Regulation)</td>
</tr>
<tr>
<td>Microgrid</td>
<td>Used as a dispatchable distributed generator to temporarily reduce loading</td>
</tr>
<tr>
<td>Blackstart</td>
<td>Provides electricity to the grid without first utilizing outside power from the grid</td>
</tr>
<tr>
<td>N-1 Reliability</td>
<td>Provides grid support in event of the loss of another component (transformer, breaker, circuit, etc.)</td>
</tr>
</tbody>
</table>

**Out of Scope for BRIGHT Pilot:** Microgrid, Blackstart, N-1 Reliability due to significant additional cost and project scope for added equipment and substation redesign; requires prioritization over other applications.
# Selected Use Cases & Other Project Benefits

## Use Cases
- Energy Shifting
- Peak Load Reduction
- Energy Arbitrage
- Voltage Support

## Inherent Benefits
- Increased Reliability
- Organizational Learning
- Stakeholder Outreach
- Safety

## Future Testing Opportunities
- Market Participation
- 10-minute Spinning Reserve
- Regulation
- Energy Shifting
- Intra-Hour Arbitrage
Battery Cycling & Sizing
Battery Design: Capacity, Duration & Cycling

**Capacity** – the measure of the energy stored in the battery in megawatts (MW)
- Grant application defines 1MW capacity

**Duration** – the run time of the battery on a full charge measured in hours (hrs)
- 2-hr and 4-hr evaluated based on supporting project use cases; defined in RFP

**Cycle** – a full charge/discharge, or the equivalent, of the rated capacity
- Number of cycles defined in the RFP; does not affect the selection of use cases
- More cycles require larger capital cost to oversize the battery; increased flexibility for testing
Size & Cycling Options

Option A: 1 MW 2-hr, 365 cycles:
- ~40% lower cost than 4 hour duration
- Increased testing flexibility
- Similar learning opportunities

Option B: 1 MW 4-hr, 365 cycles:
- Significant cost increase for longer duration (~40%)
- Increased testing flexibility
- Similar learning opportunities

Option C: 1 MW 2-hr, 250 cycles:
- Lowest cost given short duration and lower cycles
- Reduced testing flexibility
- Similar learning opportunities
State Regulatory Approval
State Regulatory Approval

• Generation Application

• Timeline
  – June 15: Submit PRB application
  – July 12: PRB hearing/approval

• Uncertainties
  – Battery storage is not expressly addressed in Nebraska statutes
Next Steps

Nebraska Power Review Board
Summer 2021

Analyze RFP & Select Technology
Summer 2021

Contract Award
Summer 2021

Site Preparation & Construction
2021 – 2022

Anticipated Commercial Operation
2022*

*RFP responses will clarify timing of Commercial Operation Date
Reporting Item

BOARD OF DIRECTORS

June 15, 2021

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 in May:

- Significant progress has been made within the Deconstruction Area. The warehouse has been excavated below grade. Interior walls have been removed from the Maintenance and Chemistry buildings. Universal waste removal is nearing completion in the Auxiliary building.

- The Waste Processing Structure is operational. Waste is being transferred from the Deconstruction Area to the facility and loaded into rail cars located at the site. The first shipment to the disposal facility by rail is expected to be completed soon.

- Planning and fabrication of specialty tools to be utilized in vessel segmentation is on track. Additional equipment for this activity including a gantry crane has arrived and is being assembled in the Containment building. Creating an opening in containment for access will begin in the third quarter of this year.

RECOMMENDED:

Mary J. Fisher
Vice President – Energy Production and Nuclear Decommissioning

APPROVED FOR REPORTING TO BOARD:

Timothy J. Burke
President and Chief Executive Officer
Pre-Committee Agenda

PUBLIC INFORMATION PRE-COMMITTEE MEETING
WEBEX VIDEOCONFERENCE
Tuesday, June 8, 2021 4:00 – 5:30 P.M.

1. Legislative and Regulatory Update (15 min)
   a. Objective: Provide brief update on federal and state legislative and regulatory activities

2. Confirmation of Board Work Plan – Public Information Committee Items (10 min)
   a. Objective: Discuss Public Information Committee items on the Board work plan

3. Block Rate Project Update (60 min)
   a. Objective: Review action plan towards elimination of declining block rates for Rate 110, Rate 230 and other applicable rates.

4. Summary of Committee Direction (5 min)
   a. Objective: Senior management team liaison(s) to summarize direction provided by the committee
BOARD OF DIRECTORS

June 15, 2021

ITEM

Customer Trends Update [Note: Not presented due to time. Update posted on oppd.com.]

PURPOSE

To provide an update on customer trends and energy assistance

FACTS

1. In response to COVID-19 Directed Health Measures declared in March 2020, the Omaha Public Power District developed a Customer First Solutions Package, a variety of programs to assist customers during the COVID-19 pandemic.
2. The Board requested that management provide regular reports on the progress of customer programs and trends.
3. Management will provide an update on aged debt and related trends as of May 31, 2021.

RECOMMENDED: APPROVED FOR REPORTING TO BOARD:

Juli A. Comstock
Vice President – Customer Service

Timothy J. Burke
President and Chief Executive Officer

JAC:rak
Summary of Q2 Customer First Solutions

- Maintain flexible bill payment options to help customers financially
- Automatically waive collection & reconnect fees on first field visit in 2021
- Empower customer service representatives to waive up to 3 late payment charges for a customer in a 12-month period
  - Additional fees may be waived upon approval and customer request (e.g. late payments, return check fees, collection & reconnect fees, etc.)
- Suspend assessing additional deposits due to field collection visits
- SMB customers will continue to receive personalized collection efforts prior to disconnection
- Continue personalized field visits and outreach to ensure impacted customers are aware of their options (via Connecting with Customers effort)

Energy Assistance

- The Douglas County COVID-19 Utility Assistance Program closed for applications in May 2021 with all $1M in funding distributed.
- LB306 passed on May 26th, 2021 to expand the income eligibility limit for the LIHEAP program.

Promotional/Marketing Campaign

- Remote Learner transition communications were executed by field reps in the month of May.

Next Steps

- Operationalize Customer First effective Q2 continuing Q1 solutions.
# Summary of Aged Debt

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th></th>
<th>Commercial &amp; Industrial</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>May 2021</td>
<td>April 2021</td>
<td>May 2020</td>
<td>May 2021</td>
</tr>
<tr>
<td>% of Accounts Current</td>
<td>90.9%</td>
<td>91.7%</td>
<td>90.1%</td>
<td>93.4%</td>
</tr>
<tr>
<td>% of Accounts in Arrears</td>
<td>9.1%</td>
<td>8.3%</td>
<td>9.9%</td>
<td>6.6%</td>
</tr>
<tr>
<td>Total Aged Debt &gt; 30 days (in millions)</td>
<td>$4.1</td>
<td>$4.2</td>
<td>$7.3</td>
<td>$1.7</td>
</tr>
<tr>
<td>Total Aged Debt 91+ Days (in millions)</td>
<td>$.7</td>
<td>$.7</td>
<td>$2.5</td>
<td>$.2</td>
</tr>
<tr>
<td>Total Service Agreement Count &gt; 30 Days (in thousands)</td>
<td>34.6</td>
<td>31.0</td>
<td>38.1</td>
<td>1.9</td>
</tr>
<tr>
<td>Total Service Agreement Count &gt; 91+ Days (in thousands)</td>
<td>6.7</td>
<td>5.7</td>
<td>13.0</td>
<td>0.4</td>
</tr>
<tr>
<td>LIHEAP Only Accounts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% of Accounts Current</td>
<td>66%</td>
<td>70%</td>
<td>64%</td>
<td></td>
</tr>
<tr>
<td>% of Accounts in Arrears</td>
<td>34%</td>
<td>30%</td>
<td>36%</td>
<td></td>
</tr>
<tr>
<td>Total Aged Debt &gt; 30 days (in millions)</td>
<td>$0.8</td>
<td>$0.4</td>
<td>$1.3</td>
<td></td>
</tr>
<tr>
<td>Total Aged Debt 91+ Days (in millions)</td>
<td>$0.2</td>
<td>$0.2</td>
<td>$0.5</td>
<td></td>
</tr>
<tr>
<td>Total Service Agreement Count &gt; 30 Days (in thousands)</td>
<td>5.0</td>
<td>4.4</td>
<td>4.7</td>
<td></td>
</tr>
<tr>
<td>Total Service Agreement Count &gt; 91+ Days (in thousands)</td>
<td>1.5</td>
<td>1.2</td>
<td>2.1</td>
<td></td>
</tr>
</tbody>
</table>
# Energy Assistance May 2021 YTD

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>May 2021 YTD</th>
<th>Average Benefit</th>
<th>Distinct Accounts</th>
<th># of Payments</th>
<th>2020 Year End Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Assistance Program</td>
<td>$98,041</td>
<td>$305</td>
<td>322</td>
<td>322</td>
<td>$377,571</td>
</tr>
<tr>
<td>COVID Relief Programs</td>
<td>$1,498,570</td>
<td>$367</td>
<td>3,577</td>
<td>4,034</td>
<td>$1,641,914</td>
</tr>
<tr>
<td>LIHEAP</td>
<td>$492,973</td>
<td>$374</td>
<td>1,287</td>
<td>1,320</td>
<td>$5,846,198</td>
</tr>
<tr>
<td>Other Agencies Assistance</td>
<td>$757,560</td>
<td>$300</td>
<td>2,007</td>
<td>2,490</td>
<td>$1,489,902</td>
</tr>
<tr>
<td>Total</td>
<td>$2,847,144*</td>
<td>$347</td>
<td>6,699</td>
<td>8,166</td>
<td>$9,355,585</td>
</tr>
</tbody>
</table>

*YTD 2020, OPPD had received a total of $770,652 in Energy Assistance Payments

## LIHEAP Distribution

- **Heating**: 83%
- **Cooling**: 1%
- **Crisis**: 16%
- **Deposit**: 0%
- **Supplement**: 0%

## Douglas County COVID-19 Utility Assistance Program

- **Completed Applications**\(^\#\): 3,246
- **Approved Applications**: 2,000
- **Average benefit**: $500
- **Total Dollars Granted**: $1,000,000

\(^\#\): Total applications completed for the program.
\(^\text{Electronic applications processed when program closed on 5/7/2021}\)
\(^\text{Customers approved for the Douglas County COVID-19 Utility Assistance Program}\)
Reporting Item

BOARD OF DIRECTORS

June 15, 2021

ITEM

Legislative and Regulatory Update

PURPOSE

To provide an update on 2021 state and federal legislative matters and regulatory matters

FACTS


b. The 117th Congress began on January 3, 2021 and is expected to end January 3, 2023.

ACTION

Reporting item

RECOMMENDED:  
Lisa A. Olson  
Vice President – Public Affairs

APPROVED FOR REPORTING TO BOARD:  
Timothy J. Burke  
President and Chief Executive Officer

Attachment: State and Federal Legislative Update
State Legislative Update
2021 Nebraska Legislative Calendar

Nebraska’s 107th Legislature

• January 6th – Legislature convened at 10 am
• January 20th – Last day of bill introduction
• January 25th – All day public hearings begin
• March 4th - Date to complete committee hearings, except Judiciary Committee on introduced bills
• March 10th – Deadline for Speaker priority requests
• March 12th – Deadline for designation of Committee and Senator priority bills (extended)
• March 12th - Judiciary Committee hearings to be completed
• March 15th – Full-day debate
• May 27th – Sine die
# 2021 Legislation – Priority Status

<table>
<thead>
<tr>
<th>Bill &amp; Current Status</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LB 83 Flood</strong></td>
<td>Change the Open Meetings Act to provide for virtual conferencing</td>
</tr>
<tr>
<td><strong>LB 84 Bostelman</strong></td>
<td>Redefine terms relating to tax incentive performance audits and the ImagiNE Nebraska Act</td>
</tr>
<tr>
<td><strong>Support</strong></td>
<td>1/7/21 Introduced, 1/11/21 Referred to Revenue Committee, 2/26/21 Hearing held, OPPD submitted a letter in support, 3/10/21 Placed on General File, 3/17/21 Speaker priority bill, 4/27/21 Advanced to Select File. 5/20/21 Passed on Final Reading 47-0-2. 5/25/21 Signed by Governor.</td>
</tr>
<tr>
<td><strong>LB 139 Briese</strong></td>
<td>Adopt the COVID-19 Liability Protection Act</td>
</tr>
</tbody>
</table>
## 2021 Legislation – Priority Status

<table>
<thead>
<tr>
<th>Bill &amp; Current Status</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>LB 306 Brandt</td>
<td>Provide eligibility requirements for the low-income home energy assistance program</td>
</tr>
<tr>
<td>LB 449 Wishart</td>
<td>Appropriate funds to the Department of Environment and Energy</td>
</tr>
<tr>
<td>Support</td>
<td>1/15/21 Introduced, 1/20/21 Referred to Appropriations Committee, 2/26/21 Hearing held, 4/9/21 Amended into LB380 budget bill, 4/1/21 LB 380 Placed on General File with AM393, 4/12/21 Advanced to Select File with ER56, 4/14/21 Advanced to Final Reading, 4/20/21 Passed on Final Reading with Emergency Clause, 4/26/21 Signed by Governor</td>
</tr>
<tr>
<td>LB 474 Wishart</td>
<td>Adopt the Medicinal Cannabis Act</td>
</tr>
<tr>
<td>Neutral</td>
<td>1/15/21 Introduced, 1/20/21 Referred to Judiciary Committee, 3/10/21 Hearing scheduled, 3/12/21 Wishart priority bill, 3/31/21 Placed on General File with AM824, 5/12/21 Failed to advance.</td>
</tr>
</tbody>
</table>
Other Bills of Interest

- LB 156 - Adopt the Municipal Inland Port Authority Act
  - 5/24/21 Signed by Governor

- LB 285 – Change provisions relating to elections conducted pursuant to the Election Act
  - 5/26/21 Signed by Governor

- LB 366 – Change the Nebraska Advantage Microenterprise Tax Credit Act
  - 5/25/21 Signed by Governor

- LB 388 - Adopt the Nebraska Broadband Bridge Act
  - 5/26/21 Signed by Governor

- LB 406 – Create the Lower Platte River Infrastructure Task Force and provide funding
  - 5/25/21 Signed by Governor
Other Bills of Interest

• LB 460 – Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission
  • Held in Committee

• LB 512 – Adopt the Critical Infrastructure Utility Worker Protection Act
  • Held in Committee

• LB 650 - Adopt the Nebraska Geologic Storage of Carbon Dioxide Act
  • 5/24/21 Signed by Governor
# 2021 Legislative Resolutions - Interim Studies

<table>
<thead>
<tr>
<th>LR &amp; Current Status</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR 23 Erdman</td>
<td>Interim study to examine the progress of natural resources districts in fulfilling their originally intended purpose. Includes a study of flood control</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Natural Resources Committee</td>
</tr>
<tr>
<td>LR 34 Slama</td>
<td>Interim study to examine the structure and funding of the Nebraska Environmental Trust. OPPD has received $600,000 for battery storage, butterfly and EV charging station grants over the years</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Natural Resources Committee</td>
</tr>
<tr>
<td>LR 83 M. Hansen</td>
<td>Interim study to examine the gubernatorial appointment process of members to boards, commissions and similar entities</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Executive Board</td>
</tr>
<tr>
<td>LR 102 Wishart</td>
<td>Provide the Legislature take steps to combat the climate and ecological crisis</td>
</tr>
<tr>
<td></td>
<td>4/22/21 Referred to Natural Resources Committee</td>
</tr>
<tr>
<td>LR 106 Kolterman</td>
<td>Interim Study to monitor underfunded defined benefit plans administered by political subdivisions as required by 13-2402.</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Nebraska Retirement Systems Committee</td>
</tr>
<tr>
<td>LR &amp; Current Status</td>
<td>Summary</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>LR 136 Brewer</td>
<td>Interim Study to examine and evaluate the causes, costs, and impacts of rolling electrical power outages during the extreme weather events of February 2021</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Natural Resources Committee</td>
</tr>
<tr>
<td>LR 147 J. Cavanaugh</td>
<td>Interim study to examine the transfer of state-owned property to local political subdivisions</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Transportation and Telecommunications Committee</td>
</tr>
<tr>
<td>LR 193 De Boer</td>
<td>Interim study to examine broadband mapping and broadband speed testing in Nebraska</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Transportation and Telecommunications Committee</td>
</tr>
<tr>
<td>LR 199 Slama</td>
<td>Interim study to examine the creation of rural economic development program</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to Banking, Commerce and Insurance Committee</td>
</tr>
<tr>
<td>LR 202 HHS Committee</td>
<td>Interim study to examine federal legislation regarding COVID-19 pandemic assistance</td>
</tr>
<tr>
<td></td>
<td>5/20/21 Referred to HHS Committee</td>
</tr>
</tbody>
</table>
## 2021 Legislative Resolutions - Interim Studies

<table>
<thead>
<tr>
<th>LR &amp; Current Status</th>
<th>Summary</th>
<th>Date Referred</th>
<th>Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR 211</td>
<td>Interim study to examine issues related to adopting construction codes</td>
<td>5/20/21</td>
<td>Referred to Urban Affairs Committee</td>
</tr>
<tr>
<td>Lowe</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LR 234</td>
<td>Interim study to examine issues related to the regulation and taxation of electric vehicles</td>
<td>5/20/21</td>
<td>Referred to Transportation and Telecommunication Committee</td>
</tr>
<tr>
<td>Friesen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LR 246</td>
<td>Interim study to examine issues within the jurisdiction of the Natural Resources Committee</td>
<td>5/26/21</td>
<td>Referred to Natural Resources Committee</td>
</tr>
<tr>
<td>NR Committee</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
Federal Legislative Update
Federal Update

- Infrastructure package continues to be the major focus
  - President Biden’s $2.3 trillion, 8 year infrastructure package reduced to $1.7 trillion. GOP’s most recent $928 billion counterproposal
  - House Energy & Commerce Committee’s Leading Infrastructure for Tomorrow’s America Act (H.R. 1848 LIFT America Act) introduced March 11th

- Other major bills of interest:
  - H.R. 848, the GREEN Act (renewable energy tax incentives)
  - H.R. 1512, the CLEAN Future Act (Clean Energy Standard) – the basis for the House Climate Package

- 5,607 bills introduced in the 117th Congress as of June 3rd
- Reconciliation being discussed as an option to pass major legislation
- 22 of 23 Cabinet nominees confirmed. Hearings begin for Undersecretaries and other appointed positions
OPPD BOARD OF DIRECTORS
REGULAR BOARD MEETING
Thursday, June 17, 2021 at 5:00 P.M.

Attend in person at Omaha Douglas Civic Center, 1819 Farnam Street,
2nd Floor – Legislative Chamber, Omaha, NE 68183

Public may attend remotely by going to www.oppd.com/BoardAgenda to access the Webex meeting link and view instructions.

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 May 2021 Comprehensive Financial and Operating Reports, May 2021 Meeting Minutes and the June 17, 2021 Agenda
7. SD-15: Enterprise Risk Management Monitoring Report – Resolution No. 64xx
8. Annual Health Plan Report – Resolution No. 64xx
9. SD-2: Rates Monitoring Report – Resolution No. 64xx
10. Authorization for Additional Debt Financing – Resolution No. 64xx
11. Rate Design Changes to Rate 110M, 469W and 483 – Resolution No. 64xx
12. Underground Streetlight Cable Repair Contract – Resolution No. 64xx
13. Substation Control Building Enclosure – Resolution No. 64xx
14. Foundations, Ductlines, and Miscellaneous Work for 161kV Substation – Resolution No. 64xx

Board Discussion Action Items
15. Corporate Officer Performance Reviews & Compensation Adjustments – J. A. Comstock, Vice President – Customer Service and L. A. Olson, Vice President – Public Affairs – Resolution No. 64xx
16. [to be determined]

Other Items
17. Customer Engagement for the Future Strategic Initiative Update (60 mins) – J. A. Comstock, Vice President – Customer Service
18. President’s Report (15 mins)
19. Opportunity for comment on other items of District business
20. 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.
Board Work Plan
Board Work Plan Process

1. Board member requests Senior Corporate Governance Specialist to add topic to Parking Lot

2. At the next regular monthly All Committee meeting, the Board as a whole discusses with SMT Parking Lot items to move to Board Work Plan. The following steps occur once an item is moved to the Work Plan:
   a. Evaluate and determine resource requirements and availability of resources to complete research, etc. [Board Chair/Committee Chair/CEO]
   b. Confirm proposed steps and timing of when work will be reasonably completed [Board Chair/Committee Chair/CEO]
   c. Insert “Target Completion Date” on Board Work Plan [Senior Corporate Governance Specialist]
   d. Provide regular updates to Board and public on items [Committee Chair]
   e. If assignment of a particular topic to a standing committee is unclear, determine if an ad hoc committee should be created [Board Chair]

3. When appropriate, topic moves from Board Work Plan to SMT agenda for Board meeting Report (Discussion or Presentation), or Action

Note the process outlined in Step 2 is iterative and could repeat for many months before going to Step 3 for Board presentation and/or action.
<table>
<thead>
<tr>
<th>TOPIC</th>
<th>ACKNOWLEDGED</th>
<th>CMTE</th>
<th>SMT</th>
<th>STATUS</th>
<th>STATUS DESCRIPTION</th>
<th>TARGET COMPLETION DATE</th>
</tr>
</thead>
</table>
| SD-11: Economic Development Policy Revision  
*(Next monitoring report 11/16/21)* | 1/19/2021 | PI | Olson | Work In Progress | Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021; 5/11/21 PI Cmte members will review SD-11 documents and target June/July for pre-cmte discussion; 6/8/21 PI Cmte consensus to put SD-11 on agenda for discussion at Board Governance Workshop, tentatively scheduled for September | |
| SD-13: Stakeholder Outreach & Engagement  
*(Next monitoring report 12/14/21)* | 1/19/2021 | PI | Olson | Work In Progress | Yoder shared notes with PI Cmte on 2/9/21; PI Cmte consensus on 3/9/21 that other Board work and policy revisions should be prioritized at this time; The PI Cmte intends to reconsider the potential prioritization of SD-11 and SD-13 in late 2nd/early 3rd quarter 2021; 5/11/21 PI Cmte members will review SD-13 documents and target June/July for pre-cmte discussion; 6/8/21 PI Cmte consensus to put SD-13 on agenda for discussion at Board Governance Workshop, tentatively scheduled for September | |
| SD-9: Resource Planning Policy Revision  
*(Next monitoring report 8/17/21)* | 8/26/2020 | SM | Fisher / Fernandez | Work In Progress | System Committee (Mollhoff, Williams, Moody & Yoder) discussion 12/3/20; Met 1/7/21; Met 1/25/21; per 3/31/21 meeting, Williams spoke with Bogner and Burke re scope, prioritization and timing; SMT meeting scheduled 5/12. | |
| SD-2: Rates Policy Revision  
*(Next monitoring report 6/15/21)* | 8/26/2020 | FIN | Fernandez | Work In Progress | Finance Cmte discussed 4/2/21; Management will provide a proposal to replace the 5-year no-general rate increase language in the current SD-2. The Committee Chair offered to provide proposed language to address the concept of affordability in SD-2 for tentative discussion in June or July. | |
| SD-4: Reliability Policy Revision  
*(Next monitoring report 4/13/21)* | 8/26/2020 | SM | Via | Not Started | System Committee to propose revisions related to resiliency. Awaiting external guidance from SPP et al. | |
<table>
<thead>
<tr>
<th>TOPIC</th>
<th>ACKNOWLEDGED</th>
<th>CMTE</th>
<th>SMT</th>
<th>STATUS</th>
<th>STATUS DESCRIPTION</th>
<th>TARGET COMPLETION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SD-7: Environmental Stewardship (Next monitoring report 9/14/21)</td>
<td>1/19/2021</td>
<td>SM</td>
<td>Fisher</td>
<td>Completed</td>
<td>Revise policy to include statement on climate change; System Cmte discussed proposed language 3/10/21; System Cmte reviewed and finalized changes 3/31/21 and recommended to Board during 4/13/21 meeting; Public comment period through Friday, May 14; Discussed during 5/18/21 All Cmtes meeting; Board approved 5/20/21</td>
<td>5/20/2021</td>
</tr>
<tr>
<td>BL-5: Unity of Control Policy Revision</td>
<td>8/26/2020</td>
<td>GOV</td>
<td>Focht</td>
<td>Complete</td>
<td>Proposed revisions reviewed by Gov Cmte 9/10/20; Gov Cmte determined more review required; Board approved 12/9/20</td>
<td>12/9/2020</td>
</tr>
<tr>
<td>BL-7: Delegation to the President &amp; CEO</td>
<td>8/26/2020</td>
<td>GOV</td>
<td>Focht</td>
<td>Complete</td>
<td>Revise policy with regard to communication from CEO; Board approved 9/17/2020</td>
<td>9/17/2020</td>
</tr>
<tr>
<td>GP-4: Agenda Planning</td>
<td>8/26/2020</td>
<td>GOV</td>
<td>Focht</td>
<td>Complete</td>
<td>Revise policy to include development of a Board Work Plan; Board approved 9/17/2020</td>
<td>9/17/2020</td>
</tr>
<tr>
<td>BL-9: Delegation to President &amp; CEO - Local, State and Federal Legislation and Regulation -- Legislative Resolution</td>
<td>2019</td>
<td>PI</td>
<td>Olson</td>
<td>Complete</td>
<td>Discussed in PI Cmte and with full Board in August and September 2020; referred back to PI Cmte for further review; 10/13/20 All Committee meeting determined to include topics of interest in OPPD’s annual legislative agenda and the PI Cmte and Board would receive timely updates on emerging issues and positions.</td>
<td>10/13/2020</td>
</tr>
<tr>
<td>TOPIC</td>
<td>SUGGESTED BY</td>
<td>ACKNOWLEDGED</td>
<td>STATUS</td>
<td></td>
<td></td>
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<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>SD-1: Strategic Foundation Monitoring Report Discussion and Refinement</td>
<td>Yoder</td>
<td>2/12/2021</td>
<td>4/13/21 All Cmtes discussion: Yoder, Burke and Focht discussed SD-1 monitoring report 4/14/21; Per 5/13/21 Governance pre-cmte, SMT will share revised format of monitoring report with the Cmte at 6/10/21 pre-cmte meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governance discussion re: handling of concepts that span multiple SDs</td>
<td>Yoder</td>
<td>2/12/2021</td>
<td>4/13/21 All Cmtes discussion: Yoder to define potential scope for discussion with Governance Committee; Per 5/13/21 Governance pre-cmte, to be considered as a topic for the 2021 Governance Workshop</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ad Hoc Committee on Market Transformation</td>
<td>Gov Workshop discussion</td>
<td>8/26/2020</td>
<td>4/13/21 All Cmtes discussion: Paused; SD-9 potential revisions may address part of this topic</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>