RESOLUTION NO. 6444

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.
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

Troy R. Via  
Vice President – Energy Delivery

APPROVED FOR BOARD CONSIDERATION:

Timothy J. Burke

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>Yes</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>No</td>
<td>Yes</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>Yes</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
# REQUEST FOR PROPOSAL NO. 5881
Foundation, Ductlines, and Miscellaneous Work for 161kV Substation

**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

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

<table>
<thead>
<tr>
<th>BID ITEM</th>
<th>Conductor Power LLC LLC 4993 Gull Lake Dam Road Brainerd, MN 56401</th>
<th>Dezort, Inc PO Box 217 North Platte, NE 69103</th>
<th>Integrated Power Co. PO Box 1743 North Platte, NE 69103</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SUPPLIER'S BID</strong></td>
<td><strong>SUPPLIER'S BID</strong></td>
<td><strong>SUPPLIER'S BID</strong></td>
<td></td>
</tr>
<tr>
<td>1. Price Proposal:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attachment A Total Price</td>
<td>$1,333,181.57</td>
<td>$1,035,685.69</td>
<td>$1,462,186.32</td>
</tr>
<tr>
<td>2. Delivery Guarantee(s):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guaranteed Date</td>
<td>Guaranteed Date</td>
<td>Guaranteed Date</td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>None provided</td>
<td>August 2, 2021</td>
<td>August 2, 2021</td>
</tr>
<tr>
<td>Final Completion</td>
<td>None provided</td>
<td>December 15, 2021</td>
<td>December 15, 2021</td>
</tr>
</tbody>
</table>

**DocuSign Envelope ID:** FD4915AB-E634-4C22-B083-5D6D1F58647F
### REQUEST FOR PROPOSAL NO. 5881

**Foundation, Ductlines, and Miscellaneous Work for 161kV Substation**

<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>Peak Contracting Group LLC</td>
<td>$1,005,324.30</td>
</tr>
<tr>
<td>5320 N 148th Street</td>
<td></td>
<td>515 South 3rd Street</td>
<td></td>
</tr>
<tr>
<td>Lincoln, NE 68527</td>
<td></td>
<td>Springfield, NE 68059</td>
<td></td>
</tr>
</tbody>
</table>

### TABULATION OF BIDS

Opened at 2:00 p.m., C.D.T., Tuesday, June 8, 2021, in Omaha, Nebraska

<table>
<thead>
<tr>
<th>BID ITEM</th>
<th>SUPPLIER'S BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anticipated Award Date</td>
<td>June 17, 2021</td>
</tr>
<tr>
<td>Engineer's Estimate</td>
<td>$2,050,000.00</td>
</tr>
</tbody>
</table>

### 1. Price Proposal:

- **Attachment A Total price**: $1,199,515.28
- **$1,005,324.30**
- **$1,349,150.96**

### 2. Completion Guarantee(s):

- **Mobilization**: August 2, 2021
- **Guaranteed Date**: August 2, 2021
- **Guaranteed Date**: August 2, 2021

- **Final Completion**: December 15, 2021
- **Guaranteed Date**: December 15, 2021
- **Guaranteed Date**: December 15, 2021
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

SMB/sac 2592334
Foundations, Ducts, Grounding Examples

Cable Trench
Pier Formwork
Pier Foundations
Rebar Cages