

Agenda

OPPD Board of Directors – All Committees Meeting

Tuesday, October 14, 2025






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

Conducted in person at BCBS, Aksarben Conference Room and 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 attend in person at BCBS, 1919 Aksarben Dr –Wahoo Room 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 | | Spurgeon | 8:00 | A.M. |
| 2. | Closed Session | | | 8:05 | A.M. |
| | Strategic Risk: Resource Adequacy | Discussion | Fernandez | 105 | min |
| | <i>Break – Open WebEx to Allow Public to Join</i> | | | 9:50 | A.M. |
| 3. | Chair Opening Statement | | Spurgeon | 10:00 | A.M. |
| 4. | Safety Briefing | | Fernandez | 10:05 | A.M. |
| 5. | Committee Briefings | | | 10:10 | A.M. |
| | Governance Pre-Committee (10/07/2025) | Reporting | Spurgeon | 5 | min |
| | SM&NO Pre-Committee (09/29/2025) | Reporting | Williams | 5 | min |
| | Customer and Public Engagement Pre-Committee (10/06/2025) | Reporting | Howard | 5 | min |
| | Finance Pre-Committee (10/03/2025) | Reporting | Moody | 5 | min |
| 6. | Oversight and Monitoring | | | 10:30 | A.M. |
| | SD-7: Environmental Stewardship Monitoring Report | Action | Fleener | 30 | min |
| | SD-13: Stakeholder Outreach and Engagement Monitoring Report | Action | McAreavey | 15 | min |
| | Legislative Update | Reporting | McAreavey | 15 | min |
| | AMI Customer & Stakeholder Engagement Progress Update | Reporting | McAreavey | 15 | min |
| | <i>Break for Lunch</i> | | | 11:45 | A.M. |
| 7. | Financial Stewardship | | | 12:45 | P.M. |
| | 2025 COP Excess Expenditure Request | Action | Underwood | 15 | min |
| 8. | Infrastructure Investment | | | 1:00 | P.M. |
| | RFP 6208 - North Omaha Station Unit 5 Gas Burner & Flue Gas Recirculation (FGR) Fan Ductwork Installation | Action | Via | 5 | min |
| 9. | Governance and Board Matters | | | 1:05 | P.M. |
| | BL-2: Board - Outside General Counsel Relationship Refinement | Action | Focht | 5 | min |
| | Board Policy Review: GP-1: Purpose of the Board, GP-4: Agenda Planning and GP-7: Guidelines for Board Member Behavior | Discussion | Spurgeon | 30 | min |
| | Confirmation of Board Meeting Agenda | Action | Spurgeon | 5 | min |
| 10. | Opportunity for Public Comment on Items of District Business | | Spurgeon | 1:45 | P.M. |
| 11. | Adjournment | | | | |

* 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 Executive Leadership team also can be found at www.oppd.com/BoardMeetings.

PHYSICAL SAFETY CHECKPOINT

-  Feeling Ill?
-  Locate AED's, Exits, and First Aid
-  Environmental Hazards
-  Identify Help
-  Active Shooter (Run, Hide, Fight)

PSYCHOLOGICAL SAFETY CHECKPOINT

-  Respect
-  Healthy Conflict
-  Multiple Perspectives
-  Trust
-  Culture of Curiosity

CYBER SECURITY

SEE SOMETHING, SAY SOMETHING

- The Sooner The Better
- Identify unknown phone number(s) or person(s) in virtual meetings



CONTACT

CENTRAL STATION: 531-226-3700 for an emergency
SAFETY: 531-226-7233 (SAFE) to report a safety issue
OPPD SERVICE DESK: 531-226-3848
HUDDLE SPACE SECURITY: 402-982-8200



Pre-Committee Agenda

GOVERNANCE PRE-COMMITTEE MEETING WEBEX VIDEOCONFERENCE October 7, 2025, 8:00 – 9:00 A.M.

1. Safety Briefing (Purnell – 2 min)
2. Prior Month Pre-Committee Action Items (DeSeure – 1 min)
 - a. Objective: Confirm prior pre-committee action items have been completed.
3. Ethics Reporting (Purnell – 1 min)
 - a. Objective: Confirm with the Governance Committee Chair whether any ethics-related allegations have been reported or investigated.
4. Governance Committee Planning Calendar (Focht – 1 min)
 - a. Objective: Provide visibility on upcoming Governance Committee items to ensure awareness and alignment.
5. Strategic Direction Policy Refinement Process - Revisions (Focht – 10 min)
 - a. Objective: Confirm the proposed policy revision process, ensuring early clarity of Board intent, feasibility, timing, stakeholder engagement and enterprise alignment.
6. Board Policy Review: GP-1: Purpose of the Board, GP-4: Agenda Planning and GP-7: Guidelines for Board Member Behavior (Spurgeon – 5 min)
 - a. Preview focus for October All Committees meeting; ensure Board practices remain aligned with established standards and reinforce governance accountability.
7. Process Update for adding items to the Board Workplan. (Focht – 10 min)
 - a. Objective: Ensure the process remains transparent, efficient, and aligned with governance best practices.
8. Board Work Plan – Governance Committee Items (Focht – 5 min)
 - a. Objective: Ensure progress of Governance Committee action items and provide guidance or adjustments to keep action items on track.
9. Summary of Meeting (DeSeure - 1 min)
 - a. Objective: Summarize and confirm follow-up action items from committee discussion.
10. Governance Pre-Cmte Open Discussion (Spurgeon – 10 min)
 - b. Objective: Opportunity for the Governance Pre-Cmte Board members and ELT to discuss any topics brought forth.

ALL COMMITTEES – October 14, 2025

| GOVERNANCE COMMITTEE | TYPE | PRESENTER | TIME | MINS |
|---|------------|-----------|------|------|
| Governance Pre-Committee (10/7/2025) | Reporting | Spurgeon | 5 | min |
| Board Policy Review – GP-1, GP-4 and GP-7 (Closed Session) | Discussion | Spurgeon | 30 | min |

| Action Item | Board Assignment | ELT Lead | Priority | Board Resources | OPPD Resources | Status | Accepted | Start | Finish | Comment |
|---|------------------|----------|----------|-----------------|----------------|-------------|----------|----------|----------|---|
| Pilot a GP/BL monitoring process for 90 days and assess results. | Governance | Focht | | Low | Low | On Track | 08/29/24 | 09/16/25 | 12/31/25 | |
| Implement the practice of adding guiding questions to pre-committee agenda topics. | Governance | Focht | | Low | Low | On Track | 08/29/24 | 03/31/25 | 12/31/25 | Initiated with the 2Q Risk Committee; will cascade to other committees. |
| Develop a plan for strategic education and training. | Governance | Focht | | High | High | On Hold | 08/29/24 | | | Spurgeon and Moody established informal working group |
| Review Board policy survey feedback for potential refinements to GP-8: Board Committee Principles. | Governance | Focht | | | | Not Started | | | | |
| Establish and execute a training plan to carry out GP-10: Board Training, Orientation. | Governance | Focht | | | | Not Started | 08/28/25 | 01/06/26 | | Spurgeon and Moody established informal working group; will start in January and finish in March. |
| Establish shared understanding of role of OPPD's "Corporate Secretary;" review and recommend revisions to <i>BL-4: Board-Corporate Secretary Relationship</i> . | Governance | Focht | | Medium | Medium | Not Started | 08/29/24 | 02/17/26 | 05/21/26 | To be reviewed in conjunction with GC |
| Execute recommendation from Board workshop to refine communication with Board and ELT | Governance | Focht | | | | Completed | 08/28/25 | 09/16/25 | 01/15/26 | Agenda revision, seating arrangement, strategic risk discussions, 8am-5pm mtg block |
| Review and refine Board work plan process. | Governance | Focht | | Low | Medium | Completed | 08/29/24 | 02/11/25 | 12/31/25 | Currently evaluating if necessary changes |

| Action Item | Board Assignment | ELT Lead | Priority | Board Resources | OPPD Resources | Status | Accepted | Start | Finish | Comment |
|--|------------------|----------|----------|-----------------|----------------|-----------|----------|----------|----------|---|
| Review and refine the Board policy development/refinement process; ensure differing perspectives are considered initially and create a template/structure to standardize/facilitate process. | Governance | Focht | | Low | Medium | Completed | 08/29/24 | 10/07/25 | 12/31/25 | Will review draft with Governance Committee |



Pre-Committee Agenda

SYSTEM MANAGEMENT & NUCLEAR OVERSIGHT
PRE-COMMITTEE MEETING
WEBEX VIDEOCONFERENCE
September 29, 2025, 3:00 – 4:30 P.M.

1. Safety Briefing (Pohl – 1 min)
 - a. Objective: Promote awareness of current safety focus.
2. Prior Month Pre-Committee Action Items (Pohl – 1 min)
 - a. Objective: Review and confirm prior pre-committee action items have been completed.
3. Energy Plaza Update (Focht – 5 min)
 - a. Objective: Provide general awareness of Energy Plaza status.
4. Transmission Encroachment Education (Via – 5 min)
 - a. Objective: Provide educational information on transmission encroachments.
5. **SD-7: Environmental Stewardship Monitoring Report (Fleener – 10 min)
 - a. Objective: Collect comments on the SD-7 Monitoring Report and discuss recommendation for approval.
6. 2026 COP Planning: Rate Action Preview & 5 Year Outlook (Underwood – 40 min)
 - a. Objective: Provide an early look at the 2026 projections and five-year outlook trends.
7. **Pending Board Action Items (Via – 10 min)
 - a. Objective: Discuss process for board Action Item for North Omaha Station Unit 5 Burner Installation – Labor Contract.
8. Board Work Plan – Systems Committee Items (Focht – 2 min)
 - a. Objective: Review current board work plan.
9. Summary of Meeting (Pohl – 1 min)
 - a. Objective: Summary of committee action items.
10. SMNO Pre-Committee Open Discussion (Williams – 15 min)
 - a. Objective: Opportunity for the SMNO Pre-Committee Board members and ELT to discuss any topics brought forth

** Indicates topic that will be included on all committee meeting agenda.

| Action Item | Board Assignment | ELT Lead | Priority | Board Resources | OPPD Resources | Status | Accepted | Start | Finish | Comment |
|--|---|-----------|----------|-----------------|----------------|-------------|----------|-------|--------|---|
| Review Board policy survey feedback for potential refinements to SD-9: Integrated System Planning. | System Management and Nuclear Oversight | Underwood | | | | Not Started | 08/28/25 | | | |
| Review Board policy survey feedback for potential refinements to SD-7: Environmental Stewardship. | System Management and Nuclear Oversight | Fleener | | | | Not Started | 08/28/25 | | | Initiated in closed session in September |
| Discuss Board feedback and recommend any revisions to <i>BL-10: Delegation to the President and Chief Executive Officer – Real and Personal Property</i> to clarify Board's intended role in future purchases or leases of real property for district use. | System Management and Nuclear Oversight | Focht | | Low | Medium | Not Started | 08/29/24 | | | Focht to schedule a meeting with Dir. Williams and Bruckner |



Pre-Committee Agenda

CUSTOMER AND PUBLIC ENGAGEMENT PRE-COMMITTEE MEETING WEBEX VIDEOCONFERENCE October 6, 2025 4:00 – 5:05 P.M.

- 1) Safety Briefing (McAreavey – 2 min.)
 - a) Objective: Promote awareness of current safety focus
- 2) Prior Month Pre-Committee Action Items (Ikeda-Hayes – 1 min.)
 - a) Objective: Review and confirm prior pre-committee action items have been completed
- 3) * Legislative Update (McAreavey - 15 min.)
 - a) Objective: Provide an update on key federal legislative developments that OPPD supports or that impact the organization.
- 4) * SD-13: Stakeholder Outreach and Engagement Monitoring Report (McAreavey - 15 min.)
 - a) Objective: Present the SD-13 monitoring report along with management's recommendation.
- 5) * AMI Customer & Stakeholder Engagement Progress Update (McAreavey - 15 min.)
 - a) Objective: Share progress on AMI initiatives with a focus on customer and stakeholder engagement and centricity.
- 6) Cost Reduction – Customer Impact (McAreavey – 10 min.)
 - a) Objective: Outline the customer impacts resulting from recent expense reduction efforts.
- 7) Board Work Plan – Public and Customer Engagement Committee Items (Focht – 1 min.)
 - a) Objective: Review of the current board work plan.
- 8) Summary of Meeting (Ikeda-Hayes – 1 min.)
 - a) Objective: Summarize action items from committee discussion.
- 9) Customer & Public Engagement Pre-Committee: Open Discussion (Howard – 5 min.)
 - a) Objective: Provide an opportunity for the Customer & Public Engagement Pre-Committee Board members and ELT to raise and discuss any relevant topics.

*Topics that will go to All-Committee meeting through CUSTOMER AND PUBLIC ENGAGEMENT.

**Topics that will go to Closed Session during All-Committee meeting.

| Action Item | Board Assignment | ELT Lead | Priority | Board Resources | OPPD Resources | Status | Accepted | Start | Finish | Comment |
|---|--------------------------------|-----------|----------|-----------------|----------------|---------|----------|-------|--------|--|
| Identify any concerns regarding the direction provided by <i>SD-11: Economic Development</i> and determine if any changes should be made. | Customer and Public Engagement | McAreavey | | Medium | Medium | On Hold | 08/29/24 | | | Met with Howard, McAreavey, Focht; will bring to CPE first quarter 2026. |



Pre-Committee Agenda

FINANCE PRE-COMMITTEE MEETING VIDEOCONFERENCE October 3, 2025 8:00 – 9:30 AM

- 1) Safety Briefing (de la Torre – 3 min)
 - a) Promote awareness of current safety focus.
- 2) Prior Month Pre-Committee Action Items (de la Torre – 2 min)
 - a) Objective: Review and confirm prior pre-committee action items have been completed.
- 3) 2025 COP Excess Expenditures Request (Underwood – 15 min)*
 - a) Objective: Briefly review the expenditure increase proposal.
- 4) Preliminary Results Review of the 2026 COP & 5-Year Outlook (Underwood – 45 min)
 - a) Objective: Provide an early look at the 2026 projections and five-year outlook trends.
- 5) Board Work Plan – Finance Committee Items (Focht - 5 min)
 - a) Objective: Committee members to review and confirm items on the Board Work Plan.
- 6) Summary of Meeting (5 min)
 - a) Objective: Summarize action items from committee discussion (de la Torre)
- 7) Finance Pre-Committee Strategic Discussion (Moody – 15 min)
 - a) Objective: Open discussion of any timely strategic and finance items.

*Topics that will go to All-Committee meeting through Finance Committee.



Action Item

October 14, 2025

ITEM

SD-7: Environmental Stewardship – Monitoring Report

PURPOSE

To ensure full Board review, discussion and acceptance of SD-7: Environmental Stewardship.

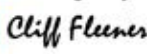
FACTS

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015. A third set of Board policies was approved by the Board on November 16, 2017.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The System Management and Nuclear Oversight Committee is responsible for evaluating Board Policy SD-7: Environmental Stewardship on an annual basis.
- d. The System Management and Nuclear Oversight Committee has reviewed SD-7: Environmental Stewardship as outlined in Exhibit A and is recommending that OPPD be found to be sufficiently in compliance with the policy.

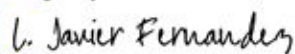
ACTION

The System Management and Nuclear Oversight Committee recommends Board approval of the SD-7: Environmental Stewardship – Monitoring Report.

RECOMMENDED:

DocuSigned by:

693556136102412
Clifford V. Fleener
Vice President – Sustainability and
Environmental Affairs

APPROVED FOR BOARD CONSIDERATION:

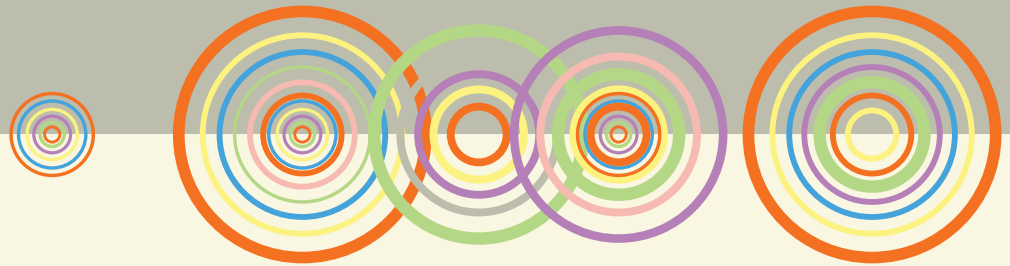
Signed by:

AG399FDGE56247E
L. Javier Fernandez
President and Chief Executive Officer

CVF:ehl

Attachment: Exhibit A – Monitoring Report
Resolution

MONITORING REPORT SD-7: ENVIRONMENTAL STEWARDSHIP

➤ 10.14.25 ➤



Cliff Fleener
VP of Sustainability and Environmental Affairs



SD-7: ENVIRONMENTAL STEWARDSHIP



Strategic Directive

Managing its interactions with the environment is essential to OPPD's ability to serve customers, create value for stakeholders, and contribute to the well-being of the communities it serves and its employees. The OPPD Board of Directors recognizes the scientific consensus that climate change is occurring and that greenhouse gas emissions, including carbon dioxide, from human activity contribute to climate change impacts. The board also understands that climate change is a significant issue that requires pragmatic solutions recognizing technology advancement, energy supply sufficiency, and climate resilience as co-equally important to carbon emissions reductions.

- ❑ **Strive to improve the efficient use of raw materials, energy, and water to reduce emissions, discharges and wastes in our operations and provision of our services.**
- ❑ **By year end 2027, achieve an approximate 3,500,000 ton annual reduction in CO2e emissions at the North Omaha Station site relative to OPPD's 2013 benchmark of 3,960,179 tons at the station.**
- ❑ **Strive to achieve net zero carbon equivalent (CO2e) emissions by 2050 relative to OPPD's 2013 benchmark with the following interim targets:**
 - **2027 (41-51% net reduction)**
 - **Future interim metrics to be informed by and determine following the completion of the 2026 Integrated Resource Plan.**
- ❑ **Harden our critical infrastructure to be resilient to the effects of climate change.**
- ❑ **Strive for an "early majority" posture when considering technology advancements when system planning.**
- ❑ **Collect data on our environmental performance and communicate progress periodically (at least annually) to the board and community.**
- ❑ **Recognize the importance of the principle of Environmental Justice in District decision making and strive toward the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability in District decisions that may impact human health and the environment.**

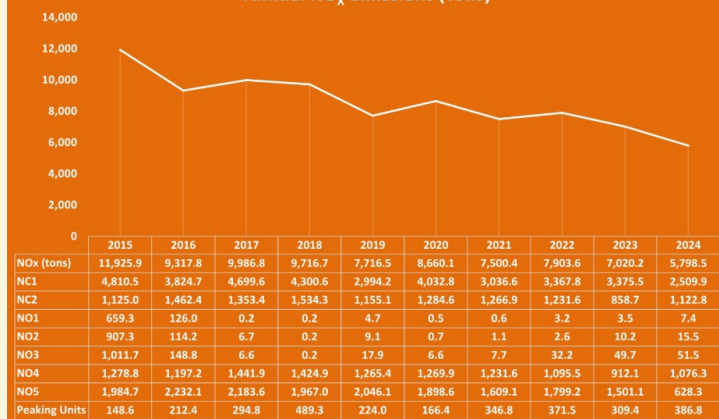
Collect data on our environmental performance and communicate progress periodically (at least annually) to the board and community.

- OPPD must meet a variety of environmental regulatory requirements, including those of the USEPA, NDEE, USFW, NGP, and the City of Omaha.
- 22 Regulatory Visits and 6 Internal Audits.
- No violation of environmental permits resulting in fines or enforcement actions.



Collect data on our environmental performance and communicate progress periodically (at least annually) to the board and community.

Annual NO_x Emissions (Tons)

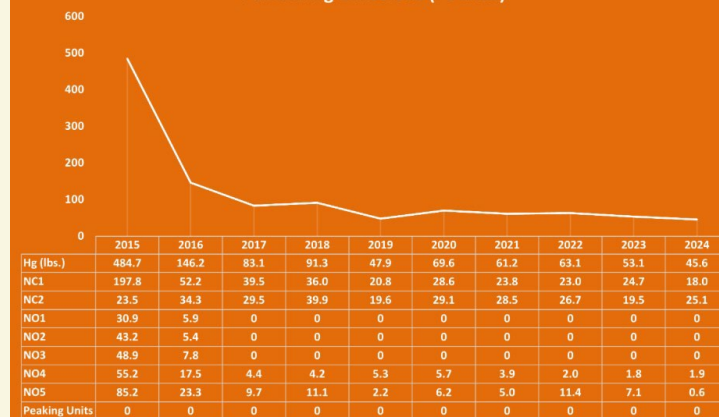


Annual SO₂ Emissions (Tons)



**51.4%
Reduction**

Annual Hg Emissions (Pounds)



**66.4%
Reduction**

**90.6%
Reduction**

Strive to improve the efficient use of raw materials, energy, and water to reduce emissions, discharges and wastes in our operations and provision of our services.

OPPD has surpassed 40% Waste Diversion Goal by 8% with a total of 1,999 Metric Tons diverted from landfill.

| Sustainability Initiative | Launched | On Deck | Progress |
|--------------------------------|----------|---------|--|
| Recycling Initiative | ✓ | | Readjusting goal to be 75% Diversion Goal by 2030. |
| Water Standard | ✓ | | Gathering data to begin efficiency upgrades. |
| Printing Paper Standard | ✓ | | All marketing paper for OPPD is FSC certified. |
| LED Lighting Standard | ✓ | | Surveys completed at all facilities to determine LED upgrades. |
| Green Grounds Keeping Standard | | ✓ | Gathering data on OPPD owned acres. |
| Vehicle Fleet Standard | | ✓ | Initial analysis completed, finalizing standard. |
| Building Envelope Upgrades | | ✓ | Initial survey at NOS and NCS completed. |

Strive to improve the efficient use of raw materials, energy, and water to reduce emissions, discharges and wastes in our operations and provision of our services.

Omaha Center Green Team Wins First Ever OPPD Sustainability Award.

~\$81,000 in Cost Savings

Reduced Over 5,000 lbs of CO₂e

Over 400 5 Gal. PET jugs avoided from landfill



Omaha Green Team (Left to Right): Brandon Parmer, Kyle Hansen, Steve Jensen, Aaron Linder, Bob McLaws, David Jorgensen (North Omaha Green Team), Jacob Flammang, Rickey Baxter.

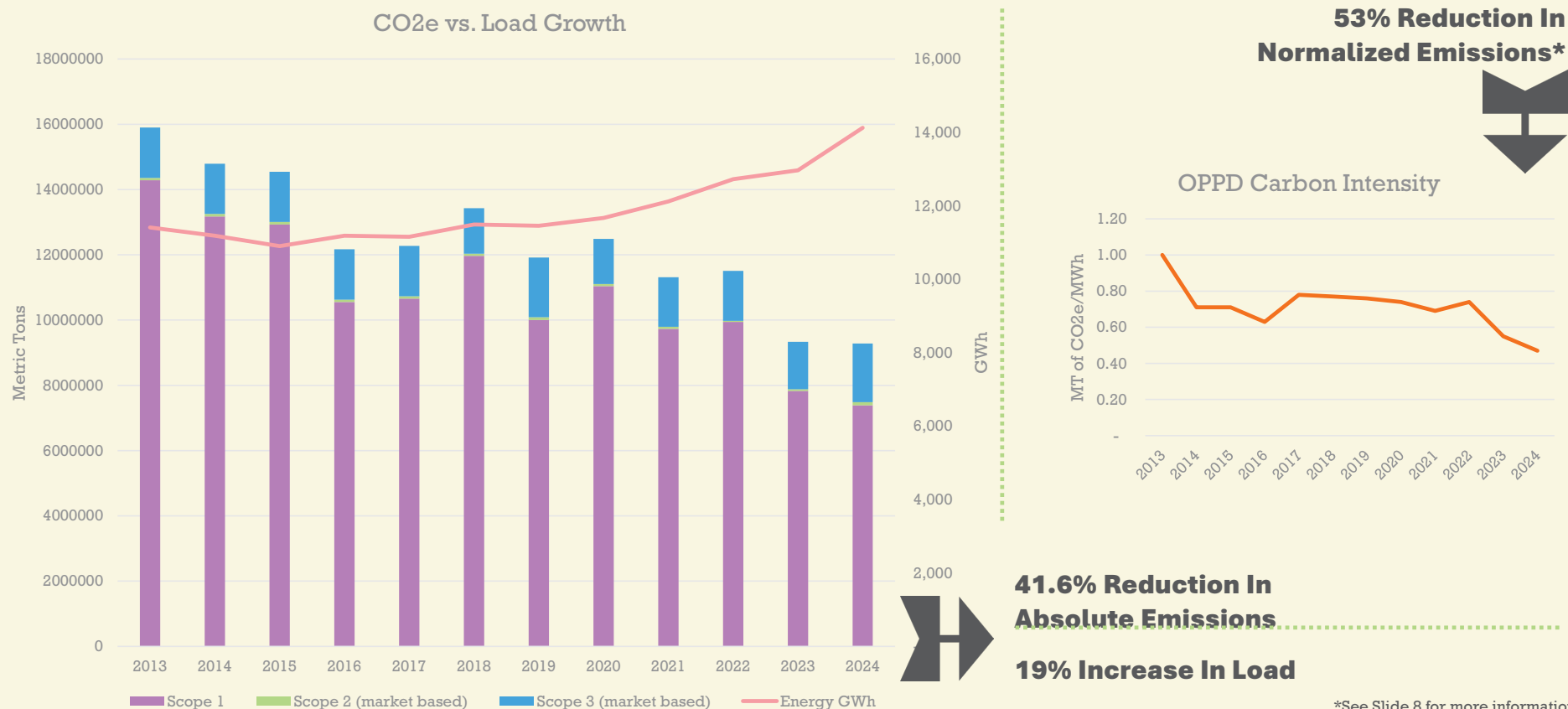
Not pictured: Stephen Osler, Matthew Liston, Jacob Johnson



Javier Fernandez (CEO), Director Williams and Cliff Fleener (VP of Environmental and Sustainability) presenting Sustainability Award Flag to Brandon Parmer and Rick Baxter of Omaha Center Green Team.

Strive to achieve net zero carbon equivalent (CO₂e) emissions by 2050 relative to OPPD's 2013 benchmark with the following interim targets:

- 2027 (41-51% net reduction)
- Future interim metrics to be informed by and determine following the completion of the 2026 Integrated Resource Plan.



*See Slide 8 for more information on carbon intensity.

Strive for an “early majority” posture when considering technology advancements when system planning.



Adopt proven, cost-effective resources.

Balance innovation with affordability.

Prioritize reliability and resiliency.

Build on early adopters' lessons.

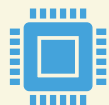
Plan for gradual integration.

Harden our critical infrastructure to be resilient to the effects of climate change.



\$17 million in tree-trimming for 2024 with an increase of another **\$12 million** for 2025.

These extra investments allow OPPD to clear overgrown limbs and branches more frequently, improving the resiliency of the grid.



In 2024, OPPD's Transmission team energized **1,965 ft (~0.37 miles)** of 69 kv underground circuit.

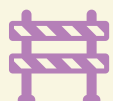
2024 Transmission Pole Replacement Projects:



- Line rebuild removed 14 wood structures and 2 lattice tower structures, replaced with **17 steel pole structures**.
- A tie into a new substation removed 20 wood structures and replace with **35 steel structures**.

1:1 Structure Replacements in 2024:

- **67 wood structures with steel**
- **6 wood structures with Ductile Iron**
- **51 wood structures with Concrete**



- In 10 years, OPPD's distribution team added approx. **1,775 miles** of underground primary distribution line.
- Along with this traditional growth, OPPD converts **20 to 40 miles** of primary distribution from overhead to underground, annually.

By year end 2027, achieve an approximate 3,500,000 ton annual reduction in CO2 emissions at the North Omaha Station site relative to OPPD's 2013 benchmark of 3,960,179 tons at the station.

Q2 '24 –
Q2 '25

Q3 2025

Q4 2025

Q3 2026

Q4 2026

- Received all 12 burners.
- Auxiliary boiler was installed; awaiting commissioning in fall of 2026.

Gate
1

- SPP GIA Study approved without major transmission buildout.

Gate
2

- NO5 burner installation labor contract awarded.
- TCS and SBLs completed.

Gate
3

- NO 1/2/3 retirement request approved by SPP.

Gate
4

- NOS 1-3 Retirements, NOS 4-5 cease coal operation.

ENVIRONMENTAL JUSTICE (EJ)

2022-2023

EJ identified as regulatory risk at OPPD.

FALL 2024

OPPD fills EJ Program Coordinator position.

FALL 2024

EJ utility research with a focus on federal policies and initiatives.

FALL 2024

NDEE requests EJ screen reports as part of permit applications.

SPRING 2025

EOs revoke federal EJ grants, programs, funds, & resources. CBOs respond with litigation.

YTD 2025

Develop EJ program. Identify opportunities to incorporate EJ principles into OPPD.

Recognize the importance of the principle of Environmental Justice in District decision making and strive toward the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability in District decisions that may impact human health and the environment.

PARTNERSHIPS

Public Affairs | Corporate Communications | Government Affairs | Advocacy Solutions | Organizational Development | Sustainability & Environmental Affairs | Grants | MAPA Housing & Development Committee | MAPA Natural Resources Committee



From left, OPPD's Britton Gabel, manager, Advocacy Solutions and Cliff Fleener, VP of Sustainability and Environmental, stand with OPPD Board Member Mary Spurgeon at City Sprouts event.



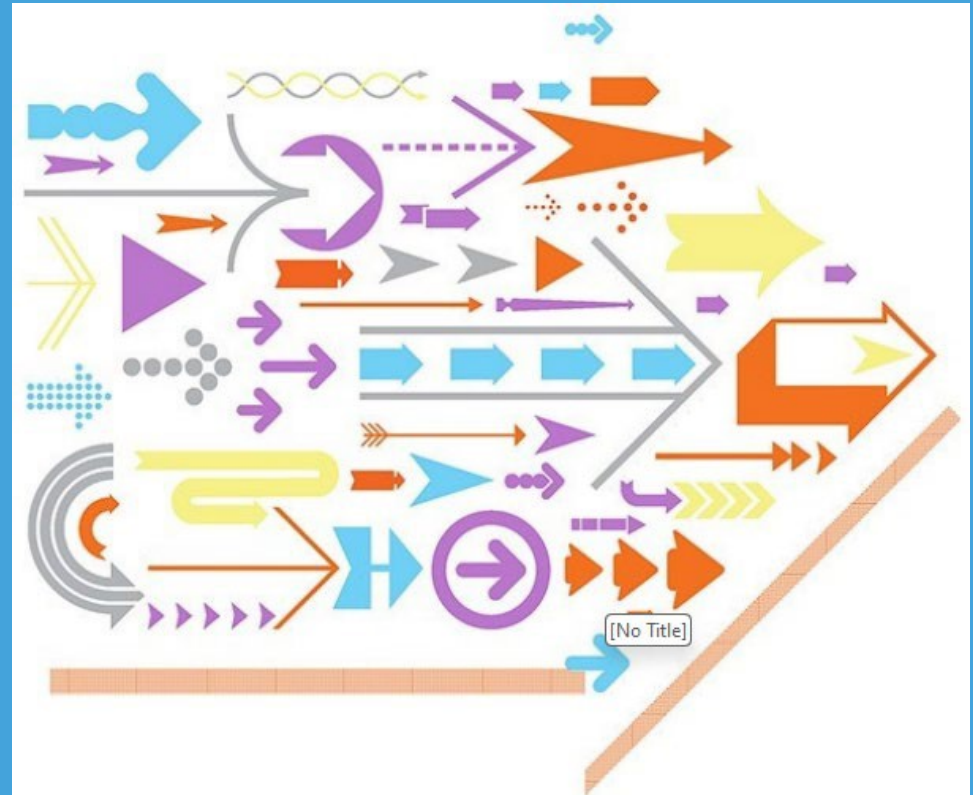
Mgr of Advocacy Solutions, Britton Gabel, at North Omaha Community Resource Fair.

RECOMMENDATION

The System Management & Nuclear Oversight Committee has reviewed and accepted this Monitoring Report for SD-7 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-7: Environmental Stewardship.

Any reflections on

- what has been accomplished, challenges and/or strategic implications?





Williams/Fleener

RESOLUTION NO. 6xxx

WHEREAS, the Board of 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 System Management and Nuclear Oversight Committee (the "Committee") is responsible for evaluating Board Policy SD-7: Environmental Stewardship on an annual basis. The Committee has reviewed the 2025 SD-7: Environmental Stewardship 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 2025 SD-7: Environmental Stewardship 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.



Action Item

October 14, 2025

ITEM

SD-13: Stakeholder Outreach and Engagement Monitoring Report

PURPOSE

To ensure full Board review, discussion and acceptance of SD-13: Stakeholder Outreach and Engagement Monitoring Report.

FACTS

- a. The first set of Board policies was approved by the Board on July 16, 2015. A second set of Board policies was approved by the Board on October 15, 2015.
- b. Each policy was evaluated and assigned to the appropriate Board Committee for oversight of the monitoring process.
- c. The Customer and Public Engagement Committee is responsible for evaluating Board Policy SD-13: Stakeholder Outreach and Engagement.
- d. The Customer and Public Engagement Committee has reviewed the SD-13: Stakeholder Outreach and Engagement Monitoring Report, as outlined on Exhibit A, and is recommending that OPPD be found to be sufficiently in compliance with the policy as stated.

ACTION

The Customer and Public Engagement Committee recommends Board approval of the 2025 SD-13: Stakeholder Outreach and Engagement Monitoring Report.

RECOMMENDED:

Signed by:



9426A061477A335
Timothy D. McAreavey
Vice President – Customer Service

APPROVED FOR REPORTING TO BOARD:

Signed by:

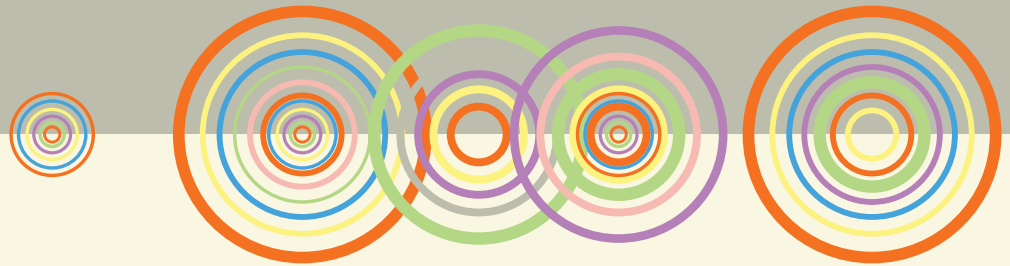


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L. Javier Fernandez
President and Chief Executive Officer

Attachments:
Exhibit A – Monitoring Report
Resolution

SD-13: STAKEHOLDER OUTREACH AND ENGAGEMENT

➤ 10-14-25 ➤



Tim McAreavey
Vice President, Customer Service and Public Affairs



SD-13: STAKEHOLDER OUTREACH & ENGAGEMENT

As a publicly owned utility, OPPD is committed to engaging its customers, the community and other stakeholders.

OPPD shall:

1

Use an integrated, clear and transparent engagement process that:

- Provides meaningful ways for customer-owners to participate and provide feedback.
- Is representative of the interested and/or impacted customer-owner segments that OPPD serves.

2

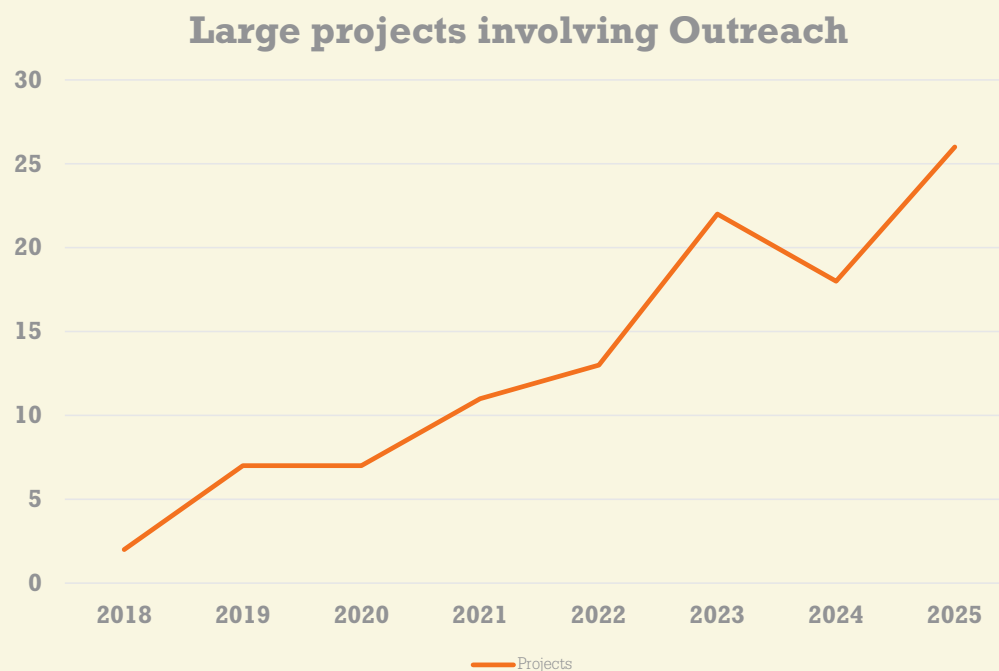
Share context with customer-owners around key decisions.

3

Continuously evaluate and improve its outreach and engagement processes.

NUMBER OF PROJECTS NEEDING OUTREACH CONTINUES TO GROW

As our portfolio of large-scale projects increases in size, so does the need for stakeholder engagement. The projects represented here include generation, transmission, Omaha streetcar, levees and strategic directive revisions and approvals.



1 USE AN INTEGRATED, CLEAR AND TRANSPARENT ENGAGEMENT PROCESS.

Integrated, clear, transparent engagement process.

| | INFORM | CONSULT | INVOLVE | COLLABORATE | EMPOWER |
|---------------------------|--|--|---|---|---|
| PUBLIC PARTICIPATION GOAL | To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions. | To obtain public feedback on analysis, alternatives and/or decision. | To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered. | To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution. | To place final decision-making in the hands of the public. |
| PROMISE TO THE PUBLIC | We will keep you informed. | We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision. | We will work with you to ensure that your concerns and issues are directly reflected in the alternatives. | We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and ideas. | We will implement what you decide. |
| EXAMPLE TOOLS | <ul style="list-style-type: none"> • Fact sheets • Websites • Open houses | <ul style="list-style-type: none"> • Public meetings • Focus groups • Surveys • Social media | <ul style="list-style-type: none"> • Workshops • Charrettes • Deliberative panels • Citizen advisory committees | <ul style="list-style-type: none"> • Joint decision-making • Participatory budgeting • Citizen juries • Public hearings | <ul style="list-style-type: none"> • Public hearings • Public meetings • Public forums • Public decision-making |



Meaningful ways for customer-owners to participate and provide feedback.

In-person

- Open houses, local leader meetings, 1:1 relationships, board meetings

Online

- OPPD.com, OPPDtheWire, social media, OPPDCommunityConnect

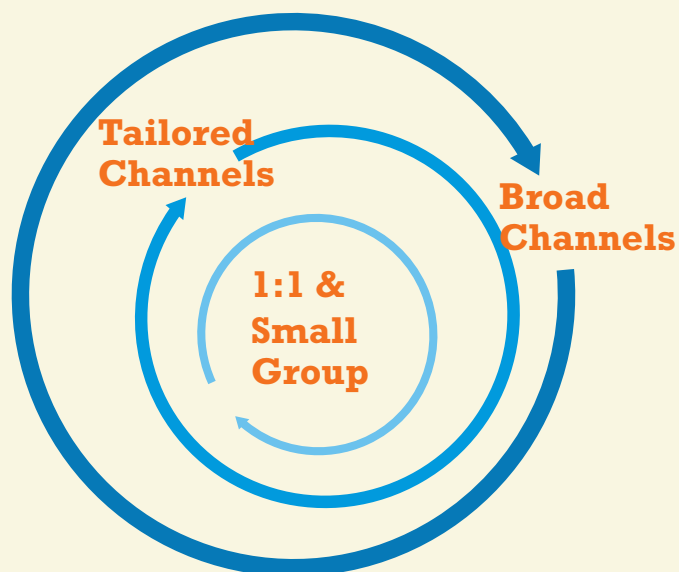
Other

- Neighborhood, Government Affairs and Retiree newsletters; Outlets; Research; Direct mail and email

Representative of the interested/impacted customer segments.



2 SHARE CONTEXT WITH CUSTOMER-OWNERS AROUND KEY DECISIONS.



What this looks like for OPPD customers/stakeholders?

Broad channels

Objective: create general awareness (Inform)

•Social media, TheWire, Outlets, paid & earned media

Tailored channels

Objective: target interested/impacted (Inform, Consult or Involve)

•NextDoor (by circuit), HOA newsletters, targeted email or direct mail, open houses, OPPDCommunityConnect

1:1 & small groups

Objective: relationship based (Inform, Consult, Involve and/or Collaborate)

•Government relations, Account managers, Economic Development, community leaders



TURTLE CREEK STATION

Ribbon cutting and
groundbreaking
event

Know, Feel, Do

Know: Understand the work done to date as well as our future path and the need for additional generation

Feel: Proud of the accomplishments we have achieved together with a sense of community and purpose with other local leaders

Do: Support OPPD in the work ahead

Outreach and Engagement

Speakers: Governor Pillen, Mayor Black, Omaha Chamber CEO Heath Mello, OPPD Board Chairman Matt Core, OPPD COO and VP Utility Operations Troy Via and OPPD President and CEO Javier Fernandez

Approximately **140 external guests** and **90 internal guests** invited

Traditional media Coverage

- **Stories: 10+**
- **Impressions: 20 million +**
- **70% positive; 30% neutral in sentiment**



NORTH DOUGLAS COUNTY TRANSMISSION PROJECT 2024-2027

Know, Feel, Do:

Know: Understand the project's needs and benefits.

Feel: Trust in OPPD

Do: Work together to create a smooth path to project completion

Outreach and Engagement

- **Communications begins early:** Local leader meeting, open house and online meeting in Q4 2024, more than a year before constructions starts
 - Improving upon previous communications timelines from past transmission line upgrades
- Multiple communications with stakeholders including directly impacted landowners via letters, public hearings and 1:1 conversations
- Regular updates on project website



CASS COUNTY STATION GENERATION EXPANSION 2025-2029

Know, Feel, Do

Know: Understand the need, customer benefits, prepare for upcoming activities

Feel: Accept the project's purpose, informed of activities

Do: Know where to go for project updates, communications or questions

Outreach and Engagement

- Local leader meeting, nearby neighbor meeting in Q1 2025, before constructions starts
- Regular updates on project website, promoted through:
 - Meetings with residents
 - Cassgram newsletter ads
 - Signage on site
 - Geotargeted social media

EXTERNAL COMMUNICATIONS

Broad, external channels continue to improve*

SOCIAL MEDIA

Instagram launch

1,305 followers to date
(goal after 1 year: 360)

Fewer number of posts, but
we reached more people.

Avg impressions/post:

- **Facebook**
2024-25: 6,135
2023-24: 5,272
- **LinkedIn**
2024-25: 3,914
2023-24: 3,595
- **X (Twitter)**
2024-25: 1,072
2023-24: 1,876
* Scaled back content on
this platform in 2024

Lessons learned

- Professional photos perform better than graphics (right)
- Phone videos perform better than long-form videos (shorter and easier to digest)
- Cadence of storm restoration posts hits the sweet spot (2-3x/day v. 10x/day in past)
- Followers love behind-the-scenes work. **First viral video** of turbine rebuild at NOS



OPPD.COM

Page views: 8.9 million

Improvements: Content audit, updated and refined navigation adjustments in progress; GIS map to better display director areas; new outage map & customer platform.

* Measurement period: 9/1/2024 through 9/26/2025

3 CONTINUOUSLY EVALUATE AND IMPROVE ITS OUTREACH AND ENGAGEMENT PROCESS.

Expanding Access

- Spanish outreach (Telemundo, partners)
- Instagram launch (younger audiences)
- OCC Board Contact Form

Agility & Responsiveness

- AMI soft launch iteration
- Cass County real-time updates
- Explaining “why not” on feedback

Strategic Maturity

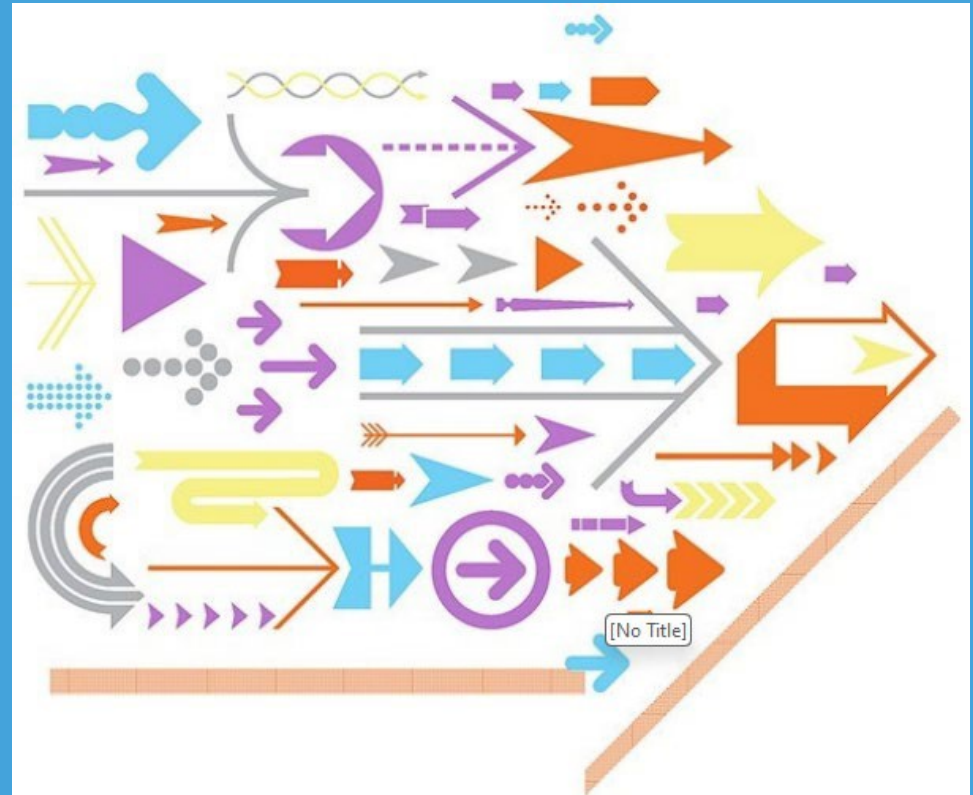
- IAP2 maturity (timing, tone)
- Cross-team alignment
- Stronger storytelling

RECOMMENDATION

- The Customer & Public Engagement Committee has reviewed and accepted this Monitoring Report for SD-13 and recommends that the Board find OPPD to be sufficiently in compliance with Board Policy SD-13.

Any reflections on

- what has been accomplished, challenges and/or strategic implications?





Howard/McAreavey

RESOLUTION NO. 6XXX

WHEREAS, the Board of 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 Customer and Public Engagement Committee (the "Committee") is responsible for evaluating Board Policy SD-13: Stakeholder Outreach and Engagement on an annual basis. The Committee has reviewed the 2025 SD-13: Stakeholder Outreach and Engagement 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 hereby accepts the 2025 SD-13: Stakeholder Outreach and Engagement 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.



Reporting Item

October 14, 2025

ITEM

Legislative Update

PURPOSE

To provide an update on 2025 state and federal legislative matters, local government affairs and regulatory matters.

FACTS

- a. Nebraska's 109th Legislature 1st session began on January 8, 2025 and ended on June 2, 2025.
- b. The 119th Congress began on January 3, 2025 and is expected to end January 3, 2027.

RECOMMENDED:

Signed by:



94267AD8147779235...
Timothy D. McAreavey
Vice President – Customer Service

APPROVED FOR REPORTING TO BOARD:

Signed by:

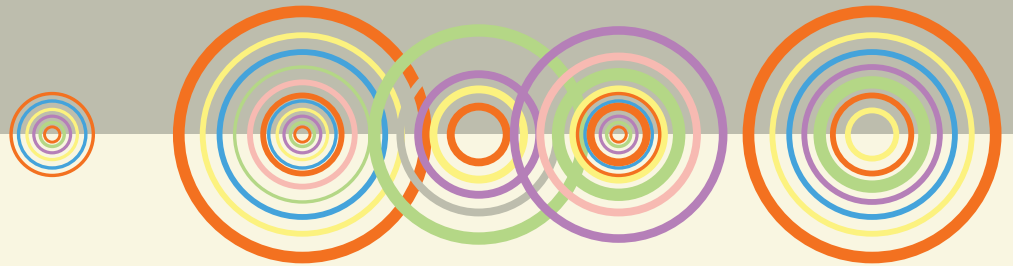


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L. Javier Fernandez
President and Chief Executive Officer

Attachment: Legislative Update

» 10-14-25 »

LEGISLATIVE UPDATE



Tim McAreavey
Vice President, Customer Service and Public Affairs



FEDERAL UPDATE

- **Permitting Reform**
- **Continuing Resolution (CR)**
- **FEMA Reform**
- **Nominees**
- **Cybersecurity and Infrastructure Security Agency (CISA) Reauthorization**

FEDERAL UPDATE

- **National Defense Authorization Act (NDAA)**
- **Reconciliation 2.0**
- **Joint Targeted Interconnection Queue (JTIQ)**
- **Water Resources Development Act (WRDA)**
- **Private Use**

STATE UPDATE INTERIM STUDIES

- **LR234** – Examine the impact of the net-zero plans and goals of public power utilities (9/5 - Javier testified)
- **LR159** – Examine how the nameplate capacity tax affects the development, operation, and long-term viability of privately developed renewable energy generation facilities located in Nebraska (9/5)
- **LR260** – Determine the return on investment per kilowatt hour for businesses that choose to locate and set up their businesses in Nebraska (10/3)
- **LR97** – Requirement of the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans administered by political subdivisions (11/20 - OPPD to testify)



QUESTIONS



Reporting Item

October 14, 2025

ITEM

AMI Customer & Stakeholder Engagement Progress Update

PURPOSE

Provide the Board of Directors with an update on OPPD's AMI Customer & Stakeholder Engagement progress.

FACTS

- a. Customer & stakeholder outreach and education efforts are underway for soft launch pilot areas and for MyOPPD. OPPD released MyOPPD, a new account management platform, and a new outage map in September and customers are utilizing these new tools. Additionally, soft launch AMI meters are currently being installed. OPPD staff have provided electronic, written and in-person educational communications for customers and stakeholders.

RECOMMENDED:

Signed by:



Timothy D. McAreavey
Vice President – Customer Service

APPROVED FOR REPORTING TO BOARD:

Signed by:

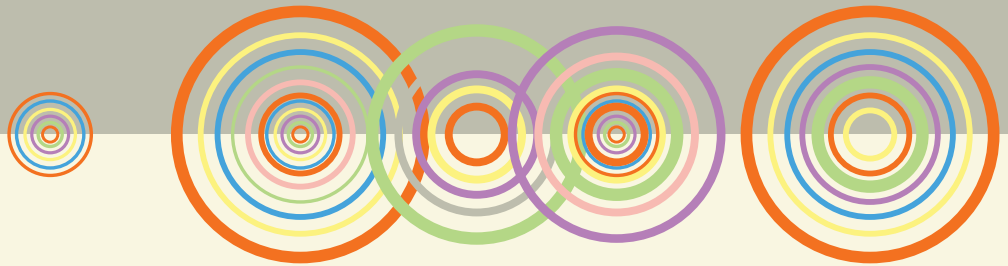


L. Javier Fernandez
President and Chief Executive Officer

Attachment: AMI Customer and Stakeholder Engagement Presentation

AMI CUSTOMER AND STAKEHOLDER ENGAGEMENT

➤ 10.14.25 ➤



Tim McAreavey
Vice President, Customer Service and Public Affairs



AGENDA

- Stakeholder Engagement
- Customer Marketing

STAKEHOLDER ENGAGEMENT

- **Elected Officials/Community Leaders**
 - **Soft Launch Employees**
 - **Customer Open Houses**

CUSTOMER & COMMUNITY LEADER EVENTS



Local Leader Meeting

Roadshow

Webinar

Today

7.16 - Bellevue

7.17 - South rural

7.22 - Omaha

7.23 - North rural

7.24 - Webinar

9.4 - Airport / Downtown

9.9 - North Omaha

9.25 - South Omaha

9.29 - Bellevue

10.2 - Westgate

10.9 - Millard / Elkhorn

10.30 - Woodcliff / Colon

11.6 - Ashland / Ceresco

11.13 - Tecumseh

11.18 - Peru

11.19 - Online

12.9 - Online

AMI meter swap-outs/
installations with soft launch group
10.2 - 12.31

9.23 - Online

10.23 - Online

July

Aug

Sept

Oct

Nov

Dec

Jan

CUSTOMER MARKETING AND COMMS

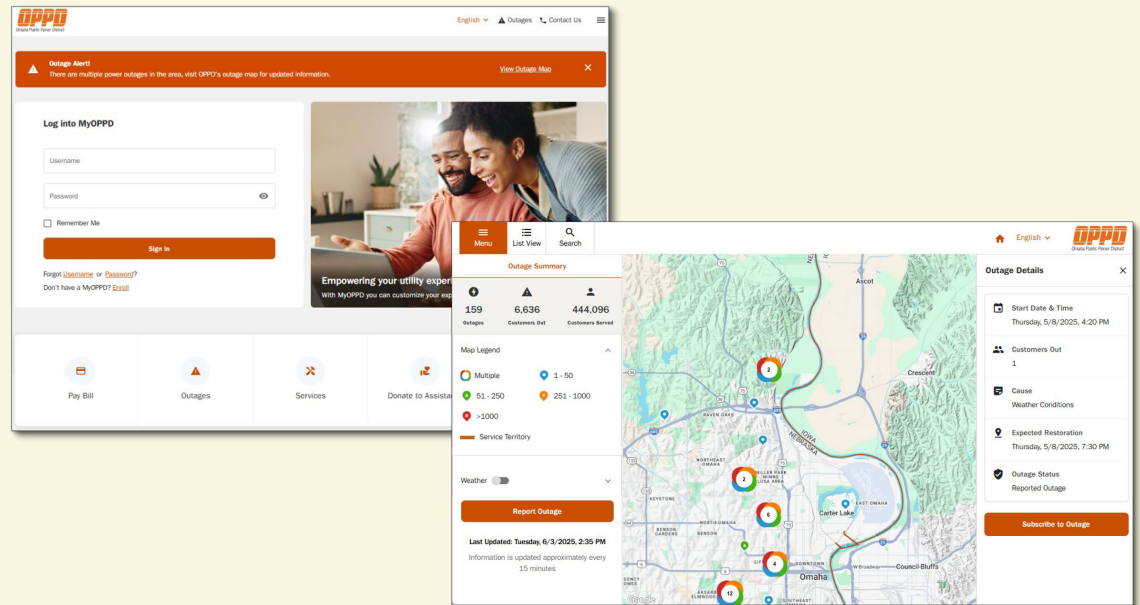
- **Soft Launch Communications**
 - **Opt Out/In Inquires**
 - **MyOPPD Results**

CUSTOMER



- **Soft Launch Communications**
 - **70% of soft launch communications have been delivered**
- **Opt Out/In**
 - **28 AMI opt-out inquiries**
 - **7 AMI opt-in inquiries**
 - **13 current AMR opt-out customers**

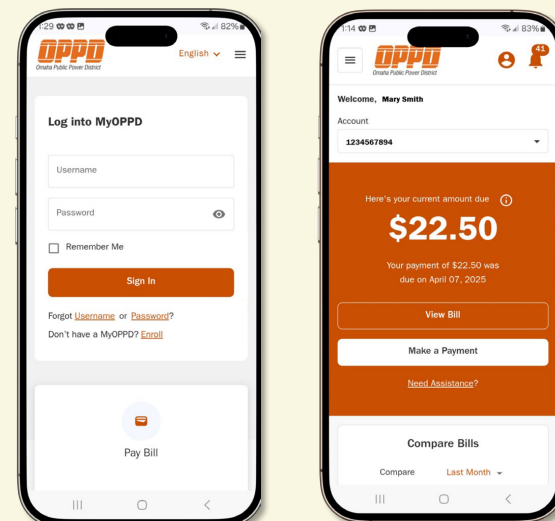
MYOPPD



- **784k Notifications**
- **47% of Outage Communications were Text**
- **Over 91k successful payment transactions**

WHAT'S COMING NEXT?

- Soft Launch Meter Deployment (Now to January 2026)
- Customer Roadshows (Now to December)
- MyOPPD Street Light (November)
- MyOPPD Mobile App (January 2026)





Q&A



Action Item

October 14, 2025

ITEM

Revised 2025 Corporate Operating Plan Expenditure Amount

PURPOSE

Approval of the Revised 2025 Expenditure Amount

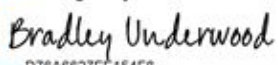
FACTS

- a. The 2025 Corporate Operating Plan (COP), including an authorized expenditure amount of \$2,323.6 million, was approved by the Board of Directors on December 19, 2024.
- b. The 2025 COP included estimated revenues and expenditures for operating within the Southwest Power Pool Integrated Marketplace. The COP also included both estimated fuel expenses derived from production cost modeling as well as capital cost estimates built by cross functional teams for new generation resources.
- c. Actual operations and maintenance experience in 2025 included additional energy purchases resulting in projected purchased power expenditures exceeding the COP by \$61 million, primarily the result of outages at generation facilities.
- d. Capital expenditures are projected to be greater than the annual approved budget by \$233 million, primarily due to refined estimates and timelines related to new generation projects.
- e. It is estimated that the 2025 expenditures may exceed the 2025 COP by \$272.3 million. An incremental \$272.3 million above the original 2025 approved expenditures is \$2,595.9 million.

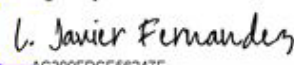
ACTION

Board approval of the Revised 2025 Corporate Operating Plan Expenditure Amount of \$2,595.9 million.

RECOMMENDED:

DocuSigned by:

D76A6623FE164F8
Bradley R. Underwood
Vice President and Chief Financial
Officer

APPROVED FOR BOARD CONSIDERATION:

Signed by:

AC390FDCE66247E
L. Javier Fernandez
President and Chief Executive Officer

Attachment: Resolution



Moody / Underwood

RESOLUTION NO. 6XXX

WHEREAS, in Resolution No. 6683, the Board of Directors approved the Omaha Public Power District's 2025 Corporate Operating Plan (COP) which includes projected expenditures for the District's operations, all phases of the District's Capital Expenditure Plan and the District's fuel needs, in the amount of \$2,323.6 million; and

WHEREAS, additional expenditures above the authorized amounts in the COP were incurred in 2025 due to generation outages, resulting in additional purchased power expenditures; and

WHEREAS, refined project estimates and completion timelines resulted in increased 2025 capital expenditures for new generation projects; and

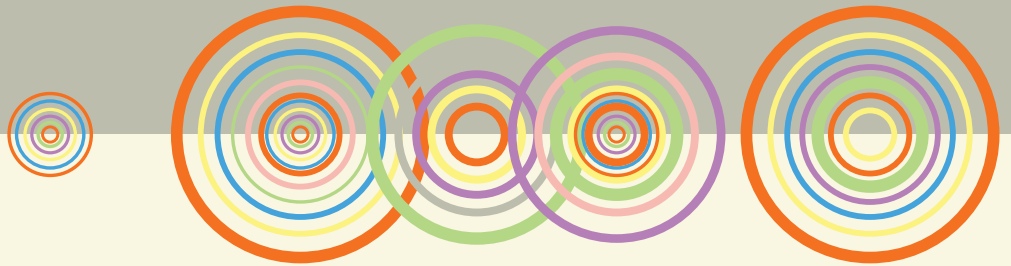
WHEREAS, in accordance with the Nebraska Revised Statutes, Management seeks approval of a revised 2025 Corporate Operating Plan expenditure amount of \$2,595.9 million for the additional expenditures described in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that the 2025 revised Corporate Operating Plan expenditure amount of \$2,595.9 million is approved.

2025 EXCESS EXPENDITURES

➤ 10.14.25 ➤

Bradley R. Underwood
Vice President and Chief Financial Officer



Executive Summary

- **Additional expenditures requested for capital expenditures and purchased power**
 - Requesting excess expenditures of \$272.3 million for an adjusted total of \$2,595.9 million
 - Capital expenditures over budget (\$233.2 million negative impact) primarily due to acceleration of expenses associated with Near Term Generation as well as additional expenses due to the finalization of Turtle Creek and Standing Bear Lake stations
 - Purchased power (\$61.2 million negative impact) over budget primarily due to higher purchase volume during unplanned generation unit outages
- **2025 year-end financial outlook**
 - The District anticipates meeting the 2.0 debt service coverage goal
 - Off-system sales (\$73.9 million positive impact) over budget largely due to elevated congestion hedging revenues
 - Debt service (\$13.9 million positive impact) savings due to non-traditional borrowing on debt associated with new generation that allows deferred debt payments until commercial operating date
 - Non-fuel and purchased power operations and maintenance expenses (\$27.3 million positive impact) are under budget primarily due to cost savings efforts of the District

2025 EXPENDITURE SUMMARY

YEAR END PROJECTION VS. COP (DOLLARS IN 000'S)

| Expenditure | Current Projection | COP | Variance |
|---------------------------------------|--------------------|--------------------|------------------|
| Capital Expenditures* | \$1,021,190 | \$788,000 | \$233,190 |
| Non-Fuel Operations & Maintenance | 560,471 | 582,729 | (22,257) |
| Fuel and Purchased Power | 625,241 | 567,138 | 58,103 |
| Total Debt Service and Other Expenses | 202,232 | 216,317 | (14,085) |
| Decommissioning Expenditures** | 86,594 | 102,596 | (16,002) |
| Payments in Lieu of Taxes | 51,370 | 53,532 | (2,162) |
| Reserves | 13,269 | 13,269 | 0 |
| TOTAL EXPENDITURES | \$2,560,368 | \$2,323,581 | \$236,787 |

Items of Note

- Current projection results in an estimated excess expenditure need of \$236.8 million
- Requesting \$272.3 million of additional expenditure authority (inclusive of 15% general contingency)
- Current projection shows OPPD exceeding Board approved expenditures in November

*Capital Expenditures are shown net of Contributions in Aid of Construction

**Decommissioning Expenditures represent expenditures related to Decommissioning activity, which differs from Decommissioning Funding

HISTORICAL EXCESS EXPENDITURES

YEAR END PROJECTION VS. COP (DOLLARS IN 000'S)

| Expenditure | 2025 | 2024 | 2023 | 2022 |
|---------------------------------------|--------------------|--------------------|-------------------|-------------------|
| Capital Expenditures* | \$788,000 | \$727,000 | \$640,000 | \$670,000 |
| Non-Fuel Operations & Maintenance | 582,729 | 528,335 | 481,800 | 426,660 |
| Fuel and Purchased Power | 567,138 | 492,691 | 462,867 | 376,734 |
| Total Debt Service and Other Expenses | 216,317 | 189,242 | 164,149 | 144,429 |
| Decommissioning Expenditures** | 102,596 | 112,918 | 115,301 | 150,870 |
| Payments in Lieu of Taxes | 53,532 | 45,599 | 42,065 | 38,709 |
| Regulatory Amortization | 0 | 0 | 13,602 | 14,838 |
| Reserves | 13,269 | 11,939 | 0 | 0 |
| TOTAL BUDGETED EXPENDITURES | 2,323,581 | 2,107,724 | 1,919,784 | 1,822,240 |
| Projected Expenditures | 2,560,368 | 2,213,230 | 1,998,974 | 1,882,433 |
| Shortfall | (\$236,787) | (\$105,506) | (\$79,190) | (\$60,193) |

*Capital Expenditures are shown net of Contributions in Aid of Construction

**Decommissioning Expenditures represent expenditures related to Decommissioning activity, which differs from Decommissioning Funding



Action Item

October 14, 2025

ITEM

North Omaha Station Unit 5 Gas Burner & Flue Gas Recirculation (FGR) Fan Ductwork Installation

PURPOSE

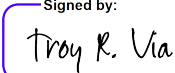
Provide services for the supply, fabrication, removal, and installation of natural gas burners and equipment, FGR equipment and boiler structural modifications for North Omaha Station Unit 5.

FACTS

- a. Per Resolution No. 6006 in June 2014, the Board of Directors authorized management to refuel North Omaha Station Units 4 & 5 from coal to natural gas operations (the "Conversion Project"). Modifications are required to allow Unit 5 to maintain power output levels to achieve Southwest Power Pool (SPP) accredited capacity requirements post fuel conversion.
- b. The Conversion Project will be completed with OPPD-supplied natural gas equipment, procured per Resolution No. 6463, and installation of contractor-provided materials. Installation is planned to be performed in the spring of 2027 during a scheduled conversion outage based upon current information. Recall resolution 6518, that conversion outage performance needs prerequisites of Turtle Creek Station/Standing Bear Lake Station (TCS/SBLS) in service, Generator Interconnection Agreement (GIA) for TCS/SBLS approved and SPP approval of retirement of North Omaha Station Units 1/2/3 without any transmission infrastructure buildout.
- c. The District requested bids for Conversion Project material supply and labor services under RFP 6208. Three bids were received. All bids were determined to be technically non-responsive, and two bids were determined to be legally non-responsive.

ACTION


Authorization by the Board of Directors to reject all proposals received for RFP 6208 and allow District Management to enter into a negotiated contract(s) for Conversion Project material supply and labor services for North Omaha Station Unit 5.

Signed by:

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

TRV:sae

Attachments: Letter of Recommendation
Tabulation of Bids
Legal Opinion
Resolution

APPROVED FOR REPORTING TO BOARD:

Signed by:

L. Javier Fernandez
President and Chief Executive Officer



MEMORANDUM

Date: October 3, 2025

UO-2025-011

From: S.A. Eidem

To: T. R. Via

Subject: North Omaha Station Unit 5 Gas Burner & Flue Gas Recirculation (FGR) Ductwork Installation

1.0 GENERAL

Request for Proposal (RFP) No. 6208 is for the supply, fabrication, removal, and installation of natural gas burners and equipment, FGR equipment and boiler structural modifications for North Omaha Station Unit 5. Per Omaha Public Power District (OPPD) Board of Directors' Resolution No. 6006, North Omaha Station Unit 4 (NO4) and Unit 5 (NO5) will be refueled to natural gas. NO5 will require burner replacement and ductwork modifications to achieve its planned generation output on natural gas.

Engineering contracts have been executed with RJM Corporation, Inc., Olsson and Wood Group USA, Inc. for the design and supply of natural gas equipment (low NOx burners, Class 1 igniters, flame scanners, gas skids, FGR fans/dampers, etc.), engineering and design for a complete FGR system including optional variable speed drives, boiler structural modifications, and detailed construction documents. The FGR fans have been installed and the other RJM supplied components have been received and staged at North Omaha Station. In addition to the remaining construction activities, materials needed for a complete system will be supplied by this contract.

RFP 6208 was advertised on July 23, 2025. Four (4) addendums and four (4) letters of clarification were issued. The bids were opened on September 11, 2025. Three (3) companies submitted bids. The Engineer's estimate for this work was \$14,400,000 for price options A through D. The bid prices are as follows:

| COMPANY | PRICE A – Base Bid | PRICE B – Boiler Mods | PRICE C – FGR Fan VFDs | PRICE D – Startup Support | TOTAL BID PRICE |
|---------------------|--------------------|-----------------------|------------------------|---------------------------|-----------------|
| Total Western, Inc. | \$7,137,038 | \$514,400 | \$1,708,831 | \$273,600 | \$9,633,869 |
| TEi Const. Services | \$11,581,070 | \$1,600,000 | No Bid | \$540,000 | \$13,721,070 |
| Grunwald Mechanical | \$15,452,110 | \$2,500,000 | \$1,290,545 | \$500,000 | \$19,742,655 |

2.0 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

OPPD's legal counsel determined the proposals received from TEi Construction Services and Grunwald Mechanical Contractors & Engineers are legally non-responsive. The Total Western, Inc. proposal may be considered subject to the District's technical and economic evaluation.

T.R. Via
Page 2 of 2
October 3, 2025

3.0 COMPLIANCE WITH TECHNICAL REQUIREMENTS

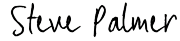
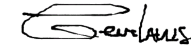
All proposals were determined to be non-compliant with the technical requirements. The proposal from Total Western, Inc. was incomplete and did not fully account for all items included in the scope of work. The proposal from TEi Construction Services included exceptions to the RFP scope of work. The proposal from Grunwald Mechanical Contractors & Engineers did not include the requested proposal information.

4.0 RECOMMENDATION

Based on all bids being non-compliant with the legal and/or technical requirements of this RFP, it is recommended that all proposals for Request for Proposal No. 6208 be rejected by the Board of Directors and that District Management be authorized to enter into a negotiated contract(s).



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

| | | | | | | | |
|---|---|---|---|---|--|---|--|
| TABULATION OF BIDS Opened at 2:00 p.m., C.D.T., Thursday, September 11, 2025, in Omaha, Nebraska | | REQUEST FOR PROPOSAL NO. 6208 NO5 GAS BURNER & FGR FAN DUCTWORK INSTALLATION | | Signed by:  C171422F76EE422... Director Supply Chain Management  5EC5B86907EE4F6 Compiled by and Certified Correct | | | |
| Anticipated Award Date October 16, 2025 | | | | | | | |
| ENGINEER'S ESTIMATE \$14,400,000.00 | | | | | | | |
| BID ITEM | | BIDDER'S NAME & ADDRESS | | | | | |
| | | Total Western, Inc 8049 Somerset Blvd Paramount, CA 90723 | | TEi Construction Services, Inc. 260 Parkway East Duncan, SC 29334 | | Grunwald Mechanical Contractors & Engineers 11111 "E" Circle, Suite A Omaha NE 68137 | |
| | | SUPPLIER'S BID | | SUPPLIER'S BID | | SUPPLIER'S BID | |
| 1. | <u>Proposal Price(S)</u> Price A: Lump Sum Firm Price Price B: Lump Sum Firm Price Price C: Lump Sum Firm Price Price D: Time & Material Price | <u>\$7,137,038.00</u> <u>\$514,400.00</u> <u>\$1,708,831.00</u> <u>\$273,600.00</u> | <u>\$11,581,070.00</u> <u>\$1,600,000.00</u> <u>not included</u> <u>\$540,000.00</u> | <u>\$15,452,110.00</u> <u>\$2,500,000.00</u> <u>\$1,290,545.00</u> <u>\$500,000.00</u> | | | |
| 2. | <u>Completion Guarantee(s)</u> Materials Onsite: September 25, 2026 Boiler release date for testing, commisionning ,and unit startup : February 27, 2027 Substantial Completion: February 27, 2027 | <u>Guaranteed Completion Date</u> <u>September 25, 2026</u> <u>February 27, 2027</u> <u>February 27, 2027</u> | <u>Guaranteed Completion Date</u> <u>September 25, 2026</u> <u>February 27, 2027</u> <u>February 27, 2027</u> | <u>Guaranteed Completion Date</u> <u>September 25, 2026</u> <u>February 27, 2027</u> <u>February 27, 2027</u> | | | |



Amelia V. Prickett
ATTORNEY
402.978.5264
aprickett@fraserstryker.com
fraserstryker.com

September 25, 2025

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

RE: RE Request for Proposal No. 6208 – North Omaha Station Unit 5 Gas Burner & Fan
Ductwork Installation (“RFP No. 6208”)

Ladies and Gentlemen:

We have reviewed the three (3) proposals received in response to the Omaha Public Power District (“District”) RFP No. 6208 and provide the following legal opinion:

The proposal of Total Western, Inc. (“Total Western”) includes no commercial or legal exceptions and may be evaluated by the District. We note that the District is seeking clarification on numerous technical issues contained within the Total Western proposal needing resolution prior to potential evaluation by the Board of Directors (“Board”).

The proposal of TEi Construction Services (“TEiC”) incorporates a previously agreed upon Master Services Agreement between TEiC and the District and adds Special Conditions on top of such previously negotiated terms. Evaluation by the District and Board would be necessary to determine whether the prior terms and Special Conditions are appropriate for the current project. Notwithstanding the foregoing, the TEiC proposal strikes expansion joints from the scope of supply and proposal. This deviation from the District’s requested scope renders the TEiC proposal materially non-responsive, and the TEiC proposal may not be considered by the Board for the award of this contract.

The proposal of Grunwald Mechanical (“Grunwald”) includes a document containing project specific-clarifications and constraints. Additionally, the Grunwald proposal materially changes the project schedule and pricing terms (from lump sum firm price to an allowance performed on a time and materials basis), and fails to complete the pricing in Attachment D. It is our opinion that these substantial deviations from the District’s requested RFP terms render the Grunwald proposal materially non-responsive, and the Grunwald proposal may not be considered by the Board for the award of this contract.

Subject to the District’s technical and economic evaluation, the Total Western proposal may be considered by the District’s Board for the award of RFP No. 6208. The TEiC and Grunwald proposals are legally non-responsive and therefore are unable to be considered by the Board. The bond of the successful bidder also must be approved by the Board.

Best,

A handwritten signature in blue ink that reads 'Amelia V. Prickett'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amelia V. Prickett
FOR THE FIRM

AVP:

Fraser Stryker PC LLO

500 Energy Plaza, 409 South 17th Street, Omaha, NE 68102 — TEL: 402.341.6000 — FAX: 402.341.8290



Williams/Via

RESOLUTION NO. 6XXX

WHEREAS, the District issued Request for Proposals No. 6208 (RFP No. 6208) to solicit proposals for labor to install equipment in connection with the conversion of North Omaha Station Units 4 and 5 from coal to natural gas operation; and

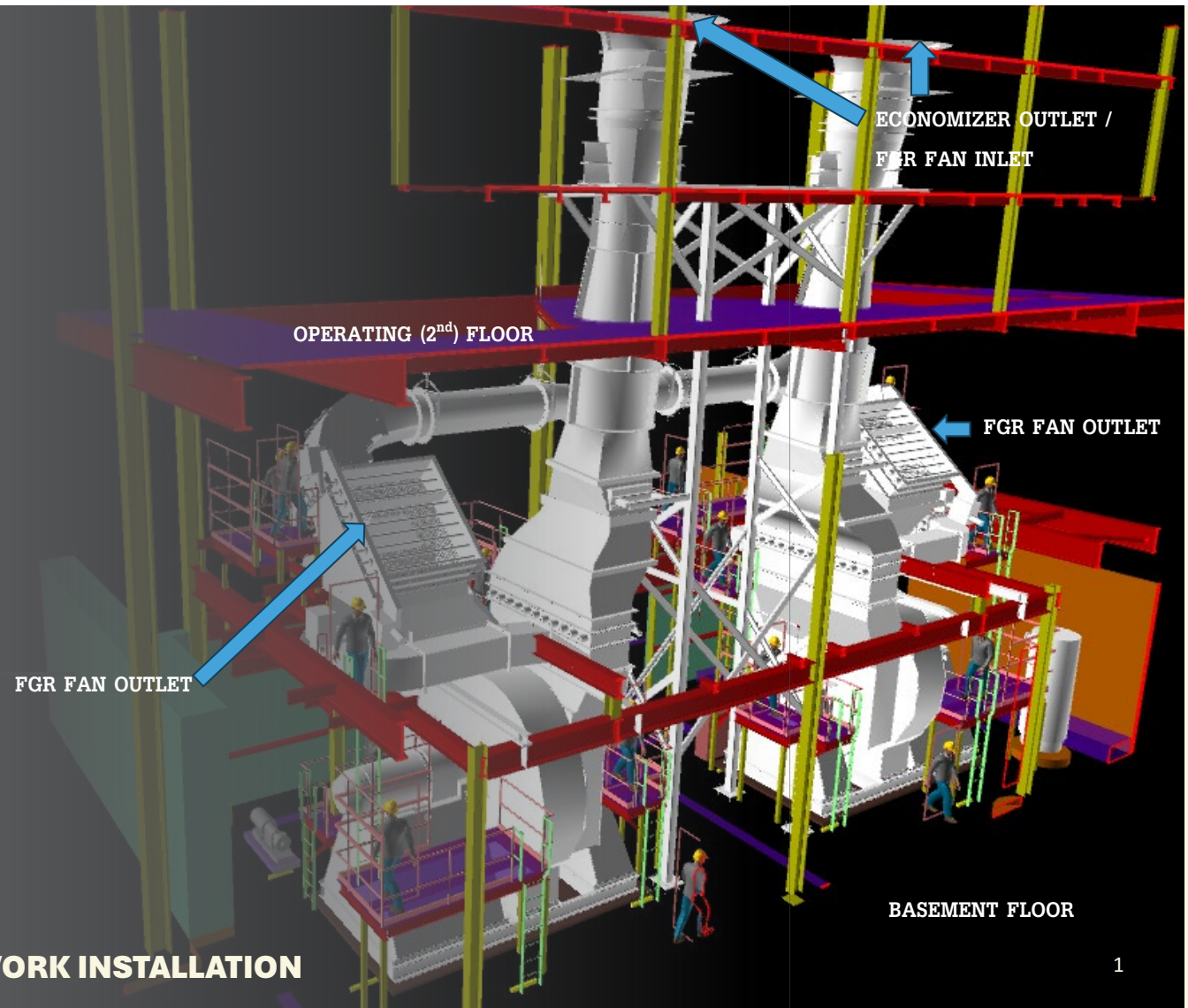
WHEREAS, proposals for RFP No. 6208 were opened on September 11, 2025 and then evaluated by Management and General Counsel; and

WHEREAS, Management and General Counsel determined that all proposals were either technically or legally non-responsive, or both, to the terms of RFP No. 6208; and

WHEREAS, pursuant to Section 70-637 of the Nebraska Revised Statutes, Management recommends that all proposals be rejected by the Board as non-responsive and Management shall be directed to negotiate an acceptable contract for the scope of work covered by RFP No. 6208.

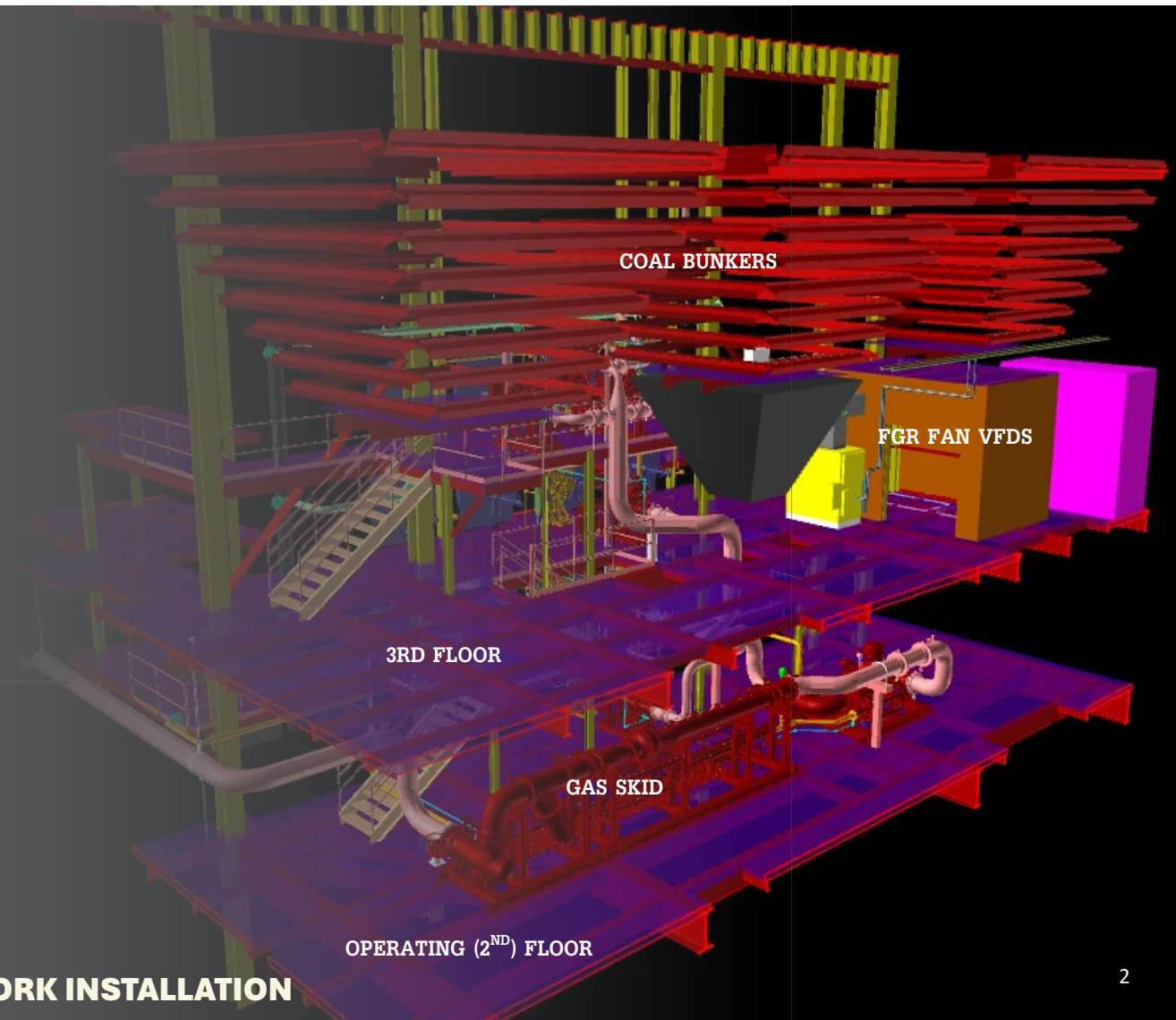
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that all proposals received by the District in response to RFP No. 6208 are rejected and Management is directed to negotiate and enter into an acceptable contract for the scope of work covered by RFP No. 6208, with the final contract documents to be reviewed and approved by the District's General Counsel.

NO5 FLUE GAS RECIRCULATION (FGR) FANS, DUCTWORK, DAMPERS, & PLATFORMS – LOOKING NORTHWEST



NO5 GAS BURNER & FGR FAN DUCWORK INSTALLATION

NO5 BOILER BURNER FRONT – LOOKING NORTHWEST



NO5 GAS BURNER & FGR FAN DUCWORK INSTALLATION



Action Item

October 14, 2025

ITEM

Approval of Revisions to Board Policy BL-2: Board–General Counsel Relationship

PURPOSE

To approve revisions to Board Policy BL-2 that reflect a transition in the General Counsel (GC) role from an external legal advisor to an internal executive position. The revised policy clarifies the GC's dual accountability to the CEO and the Board and outlines the Board's continued authority to retain independent legal counsel when appropriate.

FACTS

- a. The District has benefited from a long-standing and valued relationship with Fraser Stryker, who has provided consistent legal guidance and institutional knowledge over many decades.
- b. As the legal and regulatory environment has grown more complex, the District in partnership with Fraser Stryker has undertaken a review of its legal services structure to ensure alignment with evolving governance needs and best practices.
- c. The Risk Committee is responsible for the review and monitoring of Board policy BL-2: Board-General Counsel Relationship and convened on September 9, 2025, to review potential policy revisions that reflect a forward-looking transition to an internal General Counsel model, positioned within the executive leadership team.
- d. The Committee recommends policy updates to:
 - Clarify the General Counsel's administrative reporting to the CEO and functional accountability to the Board.
 - Reinforce the GC's responsibility to provide independent legal guidance to the Board on fiduciary, compliance, and governance matters.
 - Affirm the Board's authority to engage independent legal counsel in cases of conflict of interest for the internal GC.
- e. This transition is intended to strengthen OPPD's internal governance and operations while building on a legacy of trusted legal counsel.

ACTION

Approve the proposed revisions to Board Policy BL-2 and adopt the accompanying resolution.

RECOMMENDED:

Signed by:



8626AD4392E3463...
Scott M. Focht

Vice President – Corporate Strategy &
Governance

APPROVED FOR REPORTING TO BOARD:

Signed by:



AC399FDCE56247E...
L. Javier Fernandez

President and Chief Executive Officer

Attachments:

Exhibit A - BL-2: General Counsel – Potential Revisions - Clean

Exhibit B - BL-2: General Counsel – Potential Revisions

Resolution

Exhibit A

| | | | |
|-------------------|---|--------------------|-----------------------------|
| CLEAN | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Board Staff–Linkage |
| | Policy No. and Name: BL-2: Board –General Counsel Relationship | Monitoring Method: | Risk Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | July 16, 2015 {Insert Date} | Resolution No.: | 6070 xxxx |

The Board of Directors recognizes the General Counsel as a member of the executive leadership team and key advisor whose role includes ensuring OPPD’s legal compliance and protection, supporting sound governance, and advising the Board and executive leadership team on legal risks, compliance and fiduciary duties. The General Counsel is responsible for representing the legal interests of the District as a whole.

The General Counsel (GC) reports administratively to the CEO, who is directly accountable for hiring, directing, evaluating and (if necessary) terminating the GC. The GC is functionally accountable to the Board for independent legal support related to governance, fiduciary duties, regulatory compliance, and other legal matters that touch on the role of the Board. The Board shall have input into evaluating the performance and independence of the GC as it relates to Board support.

With respect to the Board, the General Counsel shall:

Give his or her advice or opinion whenever he or she deems necessary or when required by the Board, Committees or individual Board Members.

Inform the Board of material legal issues impacting OPPD or the Board.

Provide counsel to the Board, Committees and individual Board Members regarding legal matters affecting OPPD, in general, and their duties, obligations, and liabilities, specifically.

Provide counsel to the Board, Committees and individual Board Members regarding conflict of interest and other ethical matters.

Counsel and assist the Board, Committees and Board Members in complying with applicable statutes and other legal requirements.

Have unrestricted access to the Board and its Committees on matters pertaining to governance, risk, ethics, compliance, fiduciary duties, legal and regulatory obligations, and any other matters material to the Board’s oversight responsibilities.

The General Counsel shall not provide legal counsel to Directors except in their role as Board Members.

The Board may engage separate legal counsel if the Board determines there is a clear conflict of interest in having the GC provide legal advice to the Board on a particular matter of District business. An example is a matter involving the conduct of the CEO or GC. In such instances, in order to maintain transparency and continuity, the Board will coordinate with the GC when retaining Board

Exhibit A

counsel, unless the Board is advised that such coordination would impair legal privilege or the professional independence of the selected counsel. The Board counsel will be paid from District funds.

DRAFT

Exhibit B

| | | | |
|-------------------|---|-----------------------|--------------------------------|
| Original | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Board Staff-Linkage |
| | Policy No. and Name: BL-2: Board – Outside General Counsel Relationship | Monitoring Method: | Risk Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | July 16, 2015 | Resolution No.: | 6070 |

The Outside General Counsel provides legal counsel to OPPD and to the Board on an as needed basis.

The Board of Directors is ultimately responsible for contracting the Outside General Counsel. As a general practice, the Board and the President and Chief Executive Officer shall participate jointly in contracting the Outside General Counsel.

With respect to the Board, the Outside General Counsel shall:

- Give his or her advice or opinion whenever he or she deems necessary or when required by the Board.
- Inform the Board of material legal issues impacting OPPD or the Board.
- Provide counsel to the Board and individual Board Members with regard to legal matters affecting OPPD, in general, and their duties, obligations, and liabilities, specifically.
- Provide counsel to the Board and individual Board Members with regard to conflict of interest and other ethical matters.
- Counsel and assist the Board and Board Members in complying with applicable statutes and other legal requirements.

The Outside General Counsel shall not provide legal counsel to Directors except in their role as Board Members.

Exhibit B

| | | | |
|-------------------|---|--------------------|---|
| Redline | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Board Staff–Linkage |
| | Policy No. and Name: BL-2: Board –General Counsel Relationship | Monitoring Method: | Risk Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | July 16, 2015 [insert new date] | Resolution No.: | 6070 [insert new number] |

~~The Outside General Counsel provides legal counsel to OPPD and to the Board on an as needed basis. The Board of Directors recognizes the General Counsel as a member of the executive leadership team and key staff advisor whose role includes ensuring OPPD's legal integrity compliance and protection, supporting sound governance, and advising the Board and executive leadership team on legal risks, compliance and fiduciary duties. The General Counsel is responsible for representing the legal interests of the District as a whole.~~

~~The Board of Directors is ultimately responsible for contracting the Outside General Counsel. As a general practice, the Board and the President and Chief Executive Officer shall participate jointly in contracting the Outside General Counsel. The General Counsel (GC) reports administratively to the CEO, who is directly accountable for hiring, directing, evaluating and (if necessary) terminating the GC. The GC is functionally accountable to the Board for independent legal support related to governance, fiduciary duties, and regulatory compliance, and other legal matters that touch on the role of the Board. The Board shall have input into evaluating the performance and independence of the GC as it relates to Board support.~~

With respect to the Board, the ~~Outside~~ General Counsel shall:

- Give his or her advice or opinion whenever he or she deems necessary or when required by the Board, ~~Committees or individual Board Members.~~
- Inform the Board of material legal issues impacting OPPD or the Board.
- Provide counsel to the Board, ~~Committees~~ and individual Board Members ~~with regard to~~ regarding legal matters affecting OPPD, in general, and their duties, obligations, and liabilities, specifically.
- Provide counsel to the Board, ~~Committees~~ and individual Board Members ~~with regard to~~ regarding conflict of interest and other ethical matters.
- Counsel and assist the Board, ~~Committees~~ and Board Members in complying with applicable statutes and other legal requirements.
- ~~Have unrestricted access to the Board and its Committees on matters pertaining to governance, risk, ethics, compliance, fiduciary duties, legal and regulatory obligations, and any other matters material to the Board's oversight responsibilities.~~

The ~~Outside~~ General Counsel shall not provide legal counsel to Directors except in their role as Board Members.

Exhibit B

The Board may engage separate legal counsel if the Board determines there is a clear conflict of interest in having the GC provide legal advice to the Board on a particular matter of District business. An example is a matter involving the conduct of the CEO or GC. In such instances, in order to maintain transparency and continuity, the Board will coordinate with the GC when retaining Board counsel, unless the Board is advised that such coordination would impair legal privilege or the professional independence of the selected counsel. The Board counsel will be paid from District funds.

DRAFT



Bogner/Focht

RESOLUTION NO. 6XXX


WHEREAS, the Board of Directors of the Omaha Public Power District (the "District") has reviewed proposed revisions to Board Policy BL-2: Board–General Counsel Relationship; and

WHEREAS, the revisions reflect an evolution in the structure of the General Counsel role, formalizing it as an internal executive position that reports administratively to the Chief Executive Officer and functionally to the Board; and

WHEREAS, the Board wishes to approve the revised policy in advance of the appointment of an internal General Counsel, while ensuring that existing resolutions and legal counsel arrangements remain in effect until such appointment is made.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves the revised Board Policy BL-2 as presented;


BE IT FURTHER RESOLVED, that in the event of any inconsistency between the provisions of the attached revised Board Policy and any previous Board resolution, the provisions of the revised policy shall govern, and the conflicting provisions of any prior resolution shall be deemed repealed.

| | | | |
|---|--|---------------------------|-----------------------------------|
|  | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Governance Process |
| | Policy No. and Name: GP-1: Purpose of the Board | Monitoring Method: | Governance Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | July 16, 2015 April 21, 2022 | Resolution No.: | 6070 6494 |

The corporate powers of OPPD shall be vested in the Board of Directors and shall be exercised in such manner as to confer upon OPPD's customer-owners the benefits of a successful and profitable operation and conduct of its business. The Board of Directors operates under the provisions of the Nebraska Revised Statutes Chapter 70, Article 6, also known as the "Enabling Act." As stated in Section 70-619 of the Nebraska Revised Statutes and Section 1 of the OPPD Bylaws, the corporate powers of OPPD are vested in the Board of Directors.

The purpose of the Board of Directors is to:


- Identify and define the vision and mission of OPPD, and establish the strategic directives of OPPD, communicating them in the form of policy.
- Monitor and measure OPPD's impacts as a result of the strategic direction policies.
- Make certain operational decisions as required by the Enabling Act or other statutes.
- Appoint, evaluate and, when necessary, discharge the President and Chief Executive Officer.

| | | | |
|---|---|---------------------------|-----------------------------------|
|  | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Governance Process |
| | Policy No. and Name: GP-4: Agenda Planning | Monitoring Method: | Governance Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | July 16, 2015 September 17, 2020 April 21, 2022 | Resolution No.: | 6070 6392 6494 |

To accomplish its strategic leadership consistent with Board policies, the Board, in collaboration with the President and Chief Executive Officer (CEO), or his/her designees, shall develop and follow an agenda planning process that ensures the Board focuses on the strategic direction policies of OPPD and meets its other obligations as stated by law or policy.

Specifically:

- The Board, in conjunction with the CEO, shall develop, monitor, and regularly update a work plan comprised of initiatives, topics and issues it wishes to explore or is required to address over the next 12-month period, in order to guide OPPD staff in preparing agendas for standing committee meetings and regular Board meetings.
- The Corporate Secretary's office, under the direction of the CEO and the Board, shall prepare and issue an agenda for each committee meeting and regular Board meeting.
- Vice Presidents, with the approval of the CEO and Chair, can make necessary changes and additions to the agendas.
- Any individual Board Member may place any matter on the agendas.
- Matters may be placed on agendas for any Board meeting 24 hours preceding the meeting, except for items of an emergency nature.
- Items may be placed on the agendas as either an Action Item or a Reporting Item. Action Items require Board approval at the regular monthly Board meetings.
- The Board Chair shall review the Board's agendas to ensure they address Board items that have been identified on the work plan during the course of the year.
- The Corporate Secretary, under the direction of the CEO, and in coordination with the Committee Chairs and Vice Presidents, shall prepare and issue an agenda for each Board-related meeting.

| | | | |
|---|--|-------------------------------|---|
|  | OMAHA PUBLIC POWER DISTRICT Board Policy | Category: | Governance Process |
| | Policy No. and Name: GP-7: Guidelines for Board Member Behavior | Monitoring Method: | Governance Committee Board Report |
| | | Frequency: | Annually |
| Date of Approval: | October 15, 2015 April 21, 2022 | Resolution No.: | 6082 6494 |

The Board and its members shall act in a professional, ethical, productive, and lawful manner. Board members should avoid even the appearance of impropriety to ensure and maintain public confidence in OPPD.

Specifically:

- Board members shall conduct themselves in accordance with all laws applicable to their duties as Board members, including but not limited to duties of care, loyalty and oversight.
- Board members should conduct themselves with civility and respect at all times with one another, with staff, and with members of the public.
- Board members are expected to act in the best interest of OPPD and the customer-owners. This supersedes any conflicting duties such as advocacy for a personal cause or on behalf of interest groups and obligations to other organizations, boards or staffs. It also supersedes the personal interest of any Board member acting as a consumer of the organization's activities.
- Board members shall not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.
 - Board members must recognize the limits of authority vested in them as individuals in their interactions with the CEO or with staff.
 - In their interactions with the public, press or other entities, Board members should recognize the same limitation and the inability of any individual Board member to speak for the Board or for other Board members except to repeat explicitly stated Board decisions.
- Board members shall at all times endeavor to express their individual opinions in a responsible manner.
 - Each member of the Board is expected to support the legitimacy and authority of the decisions of the Board.
 - Although it is preferred that Board members refrain from criticism of OPPD decisions, if they do so, they must make it clear that they are expressing their individual opinion, and not the opinion of the Board or other Board members, so long as it complies with the limitations set forth in these policies.

- Members should prepare themselves for all Board meetings in advance.

Board members should discourage former Board members from attempting to influence the Board, individual Board members or staff, on behalf of any third party (other than a governmental entity) from whom the former Board member is receiving compensation, on any matter that the former Board member substantially participated in during his or her tenure with the Board. This provision shall not apply to communications by a former Board member acting in his or her capacity as an individual or customer-owner and for which the former Board member receives no compensation.



Agenda

**OPPD BOARD OF DIRECTORS
REGULAR BOARD MEETING
Thursday, October 16 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 August 2025 Financial Reports, September 2025 Meeting Minutes, and October 16, 2025 Agenda
7. BL-2: Board - Outside General Counsel Relationship Refinement – Resolution No. 6xxx
8. 2025 COP Excess Expenditure Request – Resolution No. 6xxx
9. SD-13: Stakeholder Outreach and Engagement Monitoring Report – Resolution No. 6xxx
10. SD-7: Environmental Stewardship Monitoring Report – Resolution No. 6xxx
11. RFP 6208 - North Omaha Station Unit 5 Gas Burner & Flue Gas Recirculation (FGR) Fan Ductwork Installation – Resolution No. 6xxx

Board Discussion Action Items

TBD

Other Items

12. President's Report
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.