

Williams/Via

RESOLUTION NO. 6739

WHEREAS, the Nebraska City Station Unit 2 Distributed Control System (DCS) Human Machine Interfaces (HMI) are obsolete running the Microsoft Server 2016 operating system that loses technical support in January 2027; and

WHEREAS, the DCS HMIs and other hardware also will need to be replaced in addition to several DCS software packages to maintain unit reliability and maintain cyber security standards; and

WHEREAS, the District's Engineer has certified that Emerson Process Management Power & Water Solutions, Inc. is the original equipment supplier for the DCS and is the only available source of supply for the software and hardware needed to update the DCS; and

WHEREAS, pursuant to Nebraska Revised State Statute Section 70-637 (as amended), and upon approval of the Engineer's Certification by the Board of Directors, the District may enter into a contract or contracts related to this project without sealed bidding.

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

1. Management is hereby authorized and directed to negotiate and enter into the necessary contract with Emerson Process Management Power & Water Solutions, Inc. for technical services, software, and replacement equipment for the Nebraska City Station Unit 2 Distributed Control System Human Machine Interfaces system, subject to review and approval of the final contract by the District's General Counsel.

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



MEMORANDUM

Date: November 28, 2025

UO-2025-013

From: S.A. Eidem

To: T. R. Via

Subject: Nebraska City Station Unit 2 Ovation DCS Evergreen Upgrade

1.0 GENERAL

Like other generating stations, Nebraska City Station Unit 2 (NC2) uses a Distributed Control System (DCS) to operate the majority of components within the generating station and is therefore a critical system. The current Ovation DCS Human Machine Interfaces (HMI) were installed in 2021 and require updating due to obsolescence of the operating system software for continued reliability and to reduce cyber security vulnerabilities. Microsoft will discontinue support of Microsoft Server 2016 in January 2027. The Ovation DCS software 3.7 entered retired status in January 2024 meaning software and products are no longer available for purchase and product support is limited and subject to availability. The HMI hardware and software must be replaced.

The Ovation DCS network switches and media converters are also in need of replacement for their continued reliability and spare part availability. The network switches and media converters were last replaced during the 2021 DCS Evergreen Upgrade.

The work involved is complex and of a highly technical nature and it is critical that the hardware replacements be properly integrated with the overall proprietary control system. A negotiated contract with Emerson Process Management Power & Water Solutions, Inc. (Emerson), the original supplier, to upgrade the DCS to their current platform ensures proper system engineering, equipment and software integration with the overall control system and is in the best interest of the District. This approach will minimize project cost and risk.

2.0 RECOMMENDATION

An Engineer's Certification to support this position has been prepared. Approval of that Certification is recommended. We request the Board of Directors to approve the Engineer's Certification and to authorize management to negotiate and enter into a contract with Emerson to upgrade the Nebraska City Station Unit 2 DCS.

A handwritten signature in blue ink, appearing to read "S.A. Eidem", is written over a horizontal line.

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

ENGINEER'S CERTIFICATION

The District's Nebraska City Station Unit 2 (NC2) utilizes an Ovation Distributed Control System (DCS) manufactured by Emerson Process Management Power & Water Solutions, Inc. (Emerson). System hardware and software are, or will soon become, obsolete and require replacement.

The Human Machine Interface (HMI) software and interface support hardware of the system consist of computers running Microsoft Server 2016, which will become unsupported by Microsoft in January 2027. The Ovation DCS software 3.7 entered retired status in January 2024, resulting in limited or no availability of the product itself or product support. Due to obsolescence, the District must replace the HMI hardware and software to ensure continued operation, maintenance, and support.


Additional system hardware including controllers, network switches, and media converters require replacement to ensure continued operation, reliability, and availability.

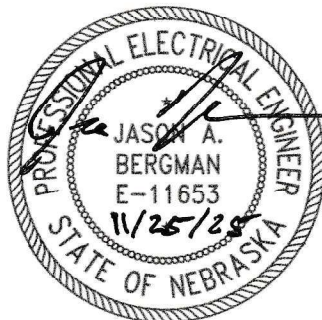
It is critical that all software and hardware be properly integrated with the existing DCS. Due to the system's proprietary nature, original equipment manufacturer (OEM) replacements must be utilized.

The undersigned professional engineer employed by the District certifies that, due to the technically complex and unique nature of the DCS software and hardware, including the need to maintain compatibility with the existing system, Emerson, as the OEM, is the only available source of supply for this project, and the proposed purchase is consistent with standards of the Board of Directors for such procurements.

Pursuant to §70-637(6) of the Nebraska Revised Statutes, as amended, the Board of Directors is requested to approve this Engineer's Certification and authorize Management to negotiate and award a contract to Emerson to engineer and supply the replacement hardware and software for the Ovation DCS at NC2, without compliance with the statutory sealed bidding provisions.

I, Jason A. Bergman (registered Professional Engineer in the State of Nebraska), certify the above to be true and correct to the best of my knowledge and belief.


Jason A. Bergman, P.E.



11/25/25
Date



Amelia V. Prickett
ATTORNEY
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fraserstryker.com

November 25, 2025

Omaha Public Power District
1919 Aksarben Drive
Omaha, NE 68106

RE: Engineer's Certification Relating to Procurement of Software and Hardware for Distributed Control System ("DCS") at Nebraska City Station Unit 2 ("NC2")

Ladies and Gentlemen:

We have reviewed the Engineer's Certification of Jason A. Bergman, P.E., a registered professional engineer in the State of Nebraska employed by the District. The Certification states that it is necessary to replace software and hardware associated with the Ovation DCS at NC2. The Certification further states that Emerson Process Management Power & Water Solutions, Inc. ("Emerson"), the original equipment manufacturer for the DCS, is the only available source of supply for the software and hardware due to the technologically complex and proprietary design of the DCS.

Neb. Rev. Stat. § 70-637(6) authorizes the District to purchase replacement parts or services from original equipment manufacturers, without advertising for sealed bids, upon appropriate certification by an engineer for the District. In our opinion, Mr. Bergman's Engineer's Certification meets the requirements of § 70-637(6).

Section 70-637(6) requires that a written statement containing the Engineer's Certification and a description of the purchase from the original equipment manufacturer must be submitted to the District's Board of Directors for approval. Also, the District must publish notice of such purchase once a week for at least three (3) consecutive weeks in one or more newspapers of general circulation in the District and in any other periodicals that may have been selected by the Board.

In our opinion, the District may proceed to complete this sole source of purchase, subject to compliance with § 70-637(6) as outlined above.

Best,

A handwritten signature in blue ink that reads 'Amelia Prickett'.

Amelia V. Prickett
FOR THE FIRM

AVP
3490635

Fraser Stryker PC LLO

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



Omaha Public Power District
BOARD OF DIRECTORS

Action Item

December 16, 2025

ITEM

Nebraska City Station Unit 2 Ovation Distributed Control System Evergreen Upgrade

PURPOSE

Authorize management to negotiate and enter into a contract with Emerson Process Management Power & Water Solutions, Inc. (Emerson) to upgrade the existing Nebraska City Station Unit 2 (NC2) Ovation Distributed Control System (DCS).

FACTS

- a. The NC2 DCS Human Machine Interfaces (HMI) are obsolete running the Microsoft Server 2016 operating systems, which will lose support in January 2027. The DCS HMIs and other hardware also will be replaced in addition to several DCS software packages to maintain unit reliability and maintain cyber security standards.
- b. The Ovation DCS is complex and highly technical. Emerson is the original equipment manufacturer and is most capable of providing replacement equipment best integrated with their DCS.
- c. Compliance with sealed bidding provisions of the Nebraska Revised Statutes Section 70-637 is impractical and not in the public's best interest.

ACTION

Approval of the Engineer's Certification and authorization for Management to negotiate and enter a contract with Emerson to upgrade the Nebraska City Station Unit 2 DCS.

RECOMMENDED:

Signed by:

Troy R. Via

Troy R. Via

Vice President – Utility Operations and
Chief Operating Officer

APPROVED FOR BOARD CONSIDERATION:

Signed by:

L. Javier Fernandez

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President and Chief Executive Officer

TRV:sae

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