



Williams/Brown

RESOLUTION NO. 6783

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

**REQUEST FOR PROPOSAL (RFP) NO. 6252
CASS TO NEBRASKA CITY FIBER**

WHEREAS, bids were received and opened at the time and place mentioned in the published notices and the Director – Supply Chain Management supervised the tabulations, which have been submitted to this Board; and

WHEREAS, the Board of Directors has carefully considered the bids submitted, as well as the recommendations of the District's Management and General Counsel.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that the proposal of Bauer Underground Inc. in the amount of \$2,544,238.06 for the procurement of design, material procurement and construction services to build a new underground fiber route pursuant to Request for Proposal No. 6252 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



MEMORANDUM

DATE: October 8, 2026
FROM: Brian Gragert
TO: Kathleen Brown

RFP No. 6252
"Cass County To Nebraska City Fiber Requirement"

Analysis of Proposals

1.00 GENERAL

RFP No. 6252 was advertised for bid on June 18, 2026.

This contract will procure engineering design, materials and construction services for a new underground fiber route from Cass County to Nebraska City.

The RFP presented two proposed route options and asked bidders to submit separate lump sum prices for each option. Route option one is the preferred route due to connecting other OPPD substation locations along this path.

This work is scheduled to begin upon award and conclude in May 2027.

Bids were requested and opened at 2:00 p.m., C.D.T., Thursday, July 16th 2026.

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

Bidder	Route Option 1	Route Option 2	Lump Sum Firm Price (Option 1+ Option 2)	Legally Responsive	Technically Responsive
TelCom Construction, LLC	\$2,834,365.94	\$2,791,891.06	\$5,626,257.00	Yes	Yes
Bauer Underground, Inc	\$2,544,238.06	\$2,485,467.74	\$5,029,705.80	Yes	Yes
MP Nexlevel, LLC	\$3,346,402.73	\$3,226,908.02	\$6,573,310.75	Yes (With exceptions)	Yes
HunTel Engineering, Inc	\$3,208,038.95	\$3,113,807.39	\$6,321,846.34	No	Yes

2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel noted that three of the 4 bids received were legally responsive and may be considered by the Board of Directors for the award of this contract. OPPD's legal counsel noted that MP Nexlevel's bid required a follow-up confirmation that their pricing includes all required materials, that its completion date is firmly guaranteed, and that it will meet the RFP's self-performance expectations.

3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

All four proposals were deemed to be technically responsive.

4.00 RECOMMENDATION

On the basis of compliance with the legal and technical requirements of the specifications, cost evaluations performed and guaranteed completion dates, it is recommended that RFP No. 6252, "Cass County to Nebraska City Fiber Requirement" be awarded to Bauer Underground, Inc. in the amount of Two Million, Five Hundred Forty-Four Thousand, Two Hundred Thirty-Eight Dollars and Six Cents (\$2,544,238.06).



Brian Gragert, PE
Manager Telecommunications
Technology and Security

TABULATION OF BIDS Opened at 1:00 p.m., CST Thursday, July 16, 2026, in Omaha, Nebraska	REQUEST FOR PROPOSAL NO. 6252 Cass to Nebraksa City Fiber Requirement Page 1 of 1			Signed by: Steve Palmer Director Signed by: Tony Antray Supply Chain Management Compiled by and Certified Correct
Anticipated Award Date August 21, 2026				
ENGINEER'S ESTIMATE \$4,500,000.00				
BID ITEM	BIDDER'S NAME & ADDRESS			
	HunTel Engineering Inc. 1613 Washington St. Blair, NE 68008	Bauer Underground Inc. 3700 W. Norfolk Ave. Norfolk, NE 68701	TelCom Constructio, LLC 2218 200th Street East Clearwater, MN 55320	
	SUPPLIER'S BID	SUPPLIER'S BID	SUPPLIER'S BID	
1. <u>Price Proposal:</u> Lump Sum Firm Price (Contract Price) to perform all Work as specified. 2. <u>Start/Completion Dates:</u> Desired Start: Purposely Ommitted Completion Dates: Purposely Ommitted	\$3,113,807.13 <u>Guaranteed Start/Completion Date</u> No Date Given	\$5,029,705.80 <u>Guaranteed Start/Completion Date</u> May 31, 2027	\$5,626,257.00 <u>Guaranteed Start/Completion Date</u> May 31, 2027	

TABULATION OF BIDS Opened at 1:00 p.m., CST Thursday, July 16, 2026, in Omaha, Nebraska	REQUEST FOR PROPOSAL NO. 6252 Cass to Nebraksa City Fiber Requirement Page 2 of 2			Signed by: Steve Palmer Director Supply Chain Management Signed by: Tony Antray Compiled by and Certified Correct
Anticipated Award Date August 21, 2026				
ENGINEER'S ESTIMATE \$4,500,000.00				
BID ITEM	BIDDER'S NAME & ADDRESS			
	MP Nexlevel, LLC 500 City Rd 37 E Maple Lake, MN 55358			
	SUPPLIER'S BID	SUPPLIER'S BID	SUPPLIER'S BID	
1. <u>Price Proposal:</u> Lump Sum Firm Price (Contract Price) to perform all Work as specified. 2. <u>Start/Completion Dates:</u> Desired Start: Purposely Ommitted Completion Dates: Purposely Ommitted	\$6,573,310.75 <u>Guaranteed Start/Completion Date</u> May 31, 2027	<u>Guaranteed Start/Completion Date</u>	<u>Guaranteed Start/Completion Date</u>	

August 07, 2026

Omaha Public Power District
1919 Aksarben Drive
Omaha, NE 68106

RE: Request for Proposal No. 6252 – Cass to Nebraska City Fiber Requirement (“RFP No. 6252”)

Ladies and Gentlemen:

We have reviewed the four proposals received in response to the Omaha Public Power District (“District”) RFP No. 6252 as submitted by TelCom Construction, LLC (“TelCom”), Bauer Underground, Inc. (“Bauer”), MP Nexlevel, LLC (“MP Nexlevel”), and HunTel Engineering, Inc. (“HunTel”), and provide the following legal opinion.

TelCom Construction, LLC

TelCom’s proposal was timely submitted and signed by its President on July 13, 2026. TelCom stated a single lump sum firm price (with Pink Route and Violet Route breakouts) and guaranteed completion date consistent with the RFP’s requirements. Consistent with the RFP’s expectation that the bidder will self-perform at least 80% of the total construction work, TelCom’s proposal states that it will complete 100% of the main route construction in-house (though TelCom expects all engineering and splicing work to be conducted by subcontractors). TelCom’s stated assumptions and exceptions (e.g., timely locates, permit approvals, and material delivery) are limited and commercially customary. No exceptions to the Master Procurement Agreement were identified.

The TelCom proposal is legally responsive and, subject to the District’s technical and economic evaluation, may be considered by the Board.

Bauer Underground, Inc.

Bauer’s proposal was timely submitted and signed by its Director of Operations on July 09, 2026. Bauer’s pricing conforms to the RFP’s lump sum framework (with itemized pricing for each of the two routes provided) and lists a guaranteed completion date consistent with the RFP’s requirements. Bauer’s stated assumptions and exceptions (e.g., access, completed locates, timely permits, owner-directed scope changes, unforeseen subsurface conditions) are within the range of ordinary qualifications. No exceptions to the Master Procurement Agreement were identified. We note one matter relevant to the District’s technical evaluation: Bauer’s proposal offer’s an “Alternate Fiber specification” on the stated grounds that the bale is more readily available to meet the construction completion dates. The proposed substitution is a matter for the District’s technical review and is not a basis for non-responsiveness. Bauer identifies Turnkey

Telecom Solutions for engineering, splicing, and testing, suggesting that it self-performs the construction activities, but the proposal does not state its self-performance percentage or affirm the 80% or greater figure. The District should request written confirmation of the self-performance percentage.

Subject to the above confirmation and the District's technical and economic evaluation, the Bauer proposal is legally responsive and may be considered by the Board.

MP Nexlevel, LLC

MP Nexlevel's proposal was timely submitted and signed by its Contracts Director on July 16, 2026. MP Nexlevel provided a lump sum amount (with itemized pricing for each of the two routes provided) and lists a guaranteed completion date consistent with the RFP's requirements.

The following matters are noted as relevant to the District's evaluation:

- 1) The proposal does not state its self-performance percentage or affirm the 80% or greater figure expected by the RFP, nor does it include the workplan and organizational chart identifying subcontracted scope and percentages.
- 2) MP Nexlevel's Safety Questionnaire discloses two "Other than Serious" OSHA citations within the last three years and its EMRs are trending upward. While these items do not render the proposal non-responsive, they are noted for the District's evaluation under the KPI Safety criterion.
- 3) MP Nexlevel's proposal states that its "unit pricing tab is labor only, no material is included in rates", that the bid excludes any tribal/cultural review and any environmental review beyond erosion control and SWPP, and states that "Additional Permits" are on a Cost+10% basis rather than a fixed component of the lump sum pricing. To the extent that Nexlevel's stated price does not encompass the materials the turnkey scope requires, this qualification departs from the RFP's required lump sum framework.

We recommend that the District seek written confirmation from MP Nexlevel of a) its self-performance percentage meeting or exceeding 80% and b) that its stated lump sum price includes all materials required for the award scope. Absent such confirmation, the pricing would constitute a material deviation from the RFP's required framework and would render the MP Nexlevel proposal legally non-responsive.

HunTel Engineering, Inc.

HunTel's proposal was timely submitted and signed by its Chief Technology Officer on July 15, 2026. However, several items within the HunTel proposal warrant the District's attention.

- 1) No single lump sum price is stated. This is not necessarily disqualifying, as HunTel's line item pricing sheet does include totals for both the Pink Route and Violet Route. However, we note that no figures are provided in either of the "Work Inside Substation Fence" sections. The District should evaluate this omission to determine the adequacy of provided pricing information.
- 2) The Guaranteed Completion Date field is blank. Because the RFP expressly provides that the Bidder's ability to guarantee completion is a material factor in determining the lowest and best evaluated bid, the absence of any guaranteed completion date is a material omission, and supplying a completion date after bid opening would be an impermissible modification of the bid.

- 3) HunTel did not complete the Base Proposal Break Down required in Attachment D (Contractor Sales and Use Tax Classification).
- 4) HunTel did not provide a workplan and organization chart or any statement of the scope it would self-perform.

Accordingly, the HunTel proposal is non-responsive as submitted, on account of the absent completion guarantee, and should not be considered by the Board.

Conclusion

As described above, the TelCom and Bauer proposals are legally responsive and may be considered by the Board for the award of RFP No. 6252. The MP Nexlevel proposal may be considered by the Board only if MP Nexlevel confirms in writing that its lump sum price includes all required materials, that its completion date is firmly guaranteed, and that it will meet the RFP's self-performance expectation. The HunTel proposal is non-responsive as it commits to no guaranteed completion date and thus, should not be considered by the Board.

Best,

Amelia V. Prickett
FOR THE FIRM

AVP:



BOARD OF DIRECTORS

Board Action

October 13, 2026

ITEM

Award RFP No. 6252 – Cass County to Nebraska City Fiber Requirement

PURPOSE

Board of Directors authorization to award a contract for engineering design, procurement of materials and construction services of a new underground fiber route to support the new generation and new transmission lines being built in our OPPD territory.

FACTS

- a. Engineer, procure materials, and construct new buried fiber to provide a physically diverse telecommunications connection between generation sites at Cass County and Nebraska City in support of the Cass County Station Expansion project.
- b. Four (4) proposals were received. Three (3) proposals are legally responsive, and four (4) are technically responsive.
- c. Work will begin upon award and complete no later than May 31, 2027.
- d. The proposal from Bauer Underground Inc. was evaluated to be the lowest and best proposal.

ACTION

Authorization by the Board to award a Materials and Labor contract to Bauer Underground, Inc. in the amount of Two Million, Five Hundred and Forty-Four Thousand, Two Hundred and Thirty-Eight dollars and Six Cents (\$2,544,238.06) for the purchase of design, material procurement and construction services for a new buried fiber route based on the evaluation of RFP No. 6252 Cass to Nebraska City Fiber Requirement.

RECOMMENDED:

Signed by:

A handwritten signature in black ink that reads "Kate Brown".

64136B6A44F34CF...

Kathleen W. Brown
Chief Information Officer and
Officer Vice President – Tech and Security

APPROVED FOR BOARD CONSIDERATION:

Signed by:

A handwritten signature in black ink that reads "L. Javier Fernandez".

AC399FDCFE56247E

L. Javier Fernandez
President and Chief Executive

Attachments:

Analysis of Proposal
Tabulation of Bids
Legal Opinion
Resolution