



Moody/Via

RESOLUTION NO. 6557

WHEREAS, the Sarpy County Station Unit 3 (“SC3”) generator circuit breaker and isolation disconnect switch need to be replaced; and

WHEREAS, the District’s Engineer has certified that the design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces; and

WHEREAS, for these reasons, the District’s Engineer has certified that the use of sealed bidding would be impractical and not in the public interest; and

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

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

1. The Engineer’s Certification that the Board waive the sealed bid requirements, in accordance with Nebraska Revised Statutes Sections 70-637 through 70-641, is hereby approved.
2. Management is hereby authorized and directed to negotiate and enter into the necessary contract or contracts to procure materials and services for the Sarpy County Station Unit 3 (“SC3”) generator circuit breaker and isolation disconnect switch project, subject to review and approval of the final contract(s) by the District’s General Counsel.
3. 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.



Board Action

BOARD OF DIRECTORS

March 14, 2023

ITEM

Sarpy County Station Unit 3 Generator Circuit Breaker and Disconnect Switch Replacement

PURPOSE

Issue a contract or contracts to supply and install a new generator breaker and disconnect switch for Sarpy County Station Unit 3.

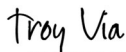
FACTS

- a. The generator circuit breaker and disconnect switch for Sarpy County Station Unit 3 requires replacement in order to maintain unit reliability.
- b. The District's engineer has certified that the use of the statutory sealed bid process for the replacement equipment, coordination, and integration requirements of the project is impractical and not in the public interest.
- c. The District will negotiate one or more contracts for supply and installation of the equipment.


ACTION

Approval of the Engineer's Certification and authorization for management to negotiate and enter into a contract or contracts for the supply and installation of a new generator circuit breaker and disconnect switch at Sarpy County Station Unit 3.

RECOMMENDED:

DocuSigned by:

 181167224FA24AE...
 Troy R. Via
 Vice President – Utility Operations
 And Chief Operating Officer

APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:

 AC399FDCE56247E...
 L. Javier Fernandez
 President and Chief Executive Officer

TRV:sae

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

your energy partner



Omaha Public Power District

MEMORANDUM

DATE: February 20, 2023

UO-2023-002

FROM: S.A. Eidem

TO: T.R. Via

SUBJECT: Sarpy County Station Unit 3 Generator Circuit Breaker and Disconnect Switch Replacement

1.00 GENERAL

OPPD intends to enter into one or more contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 (SC3). The existing breaker has failed to operate on several occasions, has become more problematic over time and requires regular maintenance to minimize delayed unit starts. The isolation disconnect switch is currently inoperable due to failed electric motors with no replacements available.

The design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces. Compliance with sealed bidding requirements of the Nebraska Statutes is impractical and not in the best interest of OPPD or the public. OPPD intends to negotiate one or more contracts for materials and installation services.

2.00 RECOMMENDATION

An Engineer's Certification of the above has been prepared. Approval of the Certification is recommended. We request the Board of Directors to approve the Engineer's Certification and authorize management to negotiate and enter into one or more contracts for the supply and installation of a generator circuit breaker and disconnect switch at Sarpy County Station Unit 3.

A handwritten signature in blue ink, appearing to read "S.A. Eidem", is written over the typed name.

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

ENGINEER'S CERTIFICATION

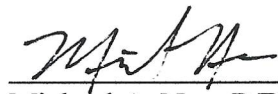
The Omaha Public Power District (OPPD) intends to enter into a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 (SC3). The design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces at SC3. For the reasons set forth in this Certification, OPPD Management seeks approval from the Board of Directors to enter into the necessary contract(s) for this project without using the statutory sealed bid process.

The undersigned, a Nebraska professional engineer employed by OPPD, certifies that compliance with the sealed bidding requirements of Nebraska Revised Statutes 70-637 to 70-641 is impractical and not in the public interest for the following reasons:

- The design of the new generator circuit breaker and isolation disconnect switch must be integrated into the existing enclosure size and include all required materials and fabrication regarding the electrical bus connection interfaces.
- A negotiated contract process is necessary to enable detailed discussions between OPPD and potential contractors to optimize equipment specifications, develop solutions for equipment physical size and integration constraints, and establish performance requirements for the installation phase of the project.
- An iterative and integrated negotiated contract process will be the best option for OPPD to develop optimal pricing, schedule and contract terms, and other contract specifications and conditions with acceptable risk mitigation. OPPD prefers one contract with a single contractor, but the negotiations may require more than one contract for the project.

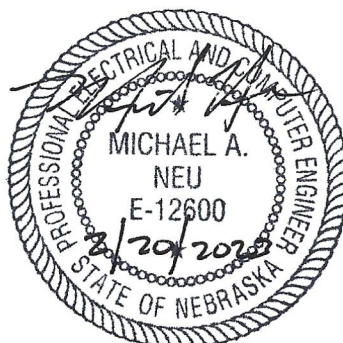
Pursuant to Section 70-637 of the Nebraska Revised Statutes, as amended, the Board of Directors is requested to approve this Engineer's Certification and authorize Management to negotiate a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for SC3 without compliance with the sealed bidding requirements of Sections 70-637 to 70-641 of the Nebraska Revised Statutes.

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



Michael A. Neu, P.E.

2/20/2023
Date



February 20, 2023

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

RE: Sarpy County Station Unit 3-generator circuit breaker and other electrical equipment

Ladies and Gentlemen:

We have reviewed the Engineer's Certification of Michael A. Neu, P.E., a registered professional engineer in the State of Nebraska employed by the District. Mr. Neu's Certification states that the District intends to enter into a contract or contracts to supply and install a new generator circuit breaker and isolation disconnect switch for Sarpy County Station Unit 3 ("SC3"). He explains that the design of this replacement equipment requires coordination and integration with the existing physical equipment enclosure and electrical bus connection interfaces at SC3. Mr. Neu further states that a negotiated contract process is necessary to enable detailed discussions between the District and potential contractors to optimize equipment specifications, develop solutions for equipment physical size and integration constraints, and establish performance requirements for the installation phase of the project. For these and other reasons set forth in the Certification, Mr. Neu certifies that the use of sealed bidding for this scope of work would be impractical and not in the public interest.

Section 70-637 of the Nebraska Revised Statutes authorizes the District's Board of Directors, by a two-third vote, to approve an Engineer's Certification when it is impractical or not in the public interest to use sealed bidding, and to authorize the District to enter into a contract to complete the project. The District is required to advertise its intention to enter into any such contract in three (3) newspapers of general circulation within the District's service area, with not less than seven (7) days between issues. The contract cannot be entered into sooner than twenty (20) days after the last advertisement.

It is our opinion that Mr. Neu's Engineer's Certification complies with Section 70-637 and is in a form that is appropriate for approval by the District's Board of Directors. Therefore, the Board of Directors may approve the Engineer's Certification and authorize Management to negotiate and enter into the necessary contract(s) for this SC3 electrical equipment project. We

February 20, 2023

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recommend that any such contract(s) be subject to review and approval by the District's General Counsel.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen M. Bruckner", written in a cursive style.

Stephen M. Bruckner
FOR THE FIRM

SMB:sac
2964128

Sarpy County Station Unit 3 Generator Output Breaker

