



Moody/Via

**RESOLUTION NO. 6581**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6069  
2023 FALL TRANSMISSION CONSTRUCTION**

**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 High Voltage Inc in the amount of \$1,006,681.24 for the procurement of construction services to construct and modify the transmission lines pursuant to Request for Proposal No. 6069 is hereby accepted, and the form of payment and performance bond of such bidder is approved.



## MEMORANDUM

Date: August 4, 2023

From: D. D. Buelt

To: T. R. Via

RFP No. 6069  
 “Fall 2023 Transmission Construction”  
Analysis of Proposals

### 1.00 GENERAL

RFP No. 6069 was advertised for bid on June 15, 2023.

Contract scope of work includes a transmission line relocation for a customer, replacement of five (5) structures at the end of their useful life, replacement of ten (10) structures for line uprate, retirement of 3.1 miles of line that are no longer needed and at the end of useful life, and the reconfiguration of overhead facilities in preparation for an underground transmission project.

Construction is scheduled to begin September 2023 and conclude December 2023.

Two (2) Letters of Clarification (LOC) were issued. One (1) to provide clarification on the technical aspects of the project requested by the bidder and one (1) to clarify the start date in the High Voltage Inc proposal, as the completion date was filled in for both the start and completion.

No Addendums were issued.

Proposals were requested and opened at 2:00 p.m., C.D.T., Thursday, July 13, 2023.

Engineer’s Estimate was \$ 1,200,000.

Five (5) total proposals were received. The proposals received are summarized in the table below:

Bidder	Lump Sum Firm Price	Legally Responsive	Technically Responsive
High Voltage Inc	\$ 1,006,681.24*	Yes	Yes
The L.E. Myers Company	\$ 1,049,804.44	Yes	No
Ward Electric Company, Inc.	\$ 1,907,256.09	Yes	Yes
Brink Constructors Inc.	\$ 2,454,280.29	No	N/A
Watts Electric Company	\$ 2,907,401.27	Yes	Yes

\* Corrected from Lump Sum Firm Price read aloud during bid opening to include all items from price quotation summary worksheet.

T.R. Via  
August 4, 2023  
Page 2 of 2

## 2.00 COMPLIANCE WITH CONTRACT TERMS AND GENERAL REQUIREMENTS

OPPD's legal counsel deemed the proposal from Brink Constructors Inc. as legally non-responsive and cannot be considered by the Board of Directors for the award of this contract, for stating that pricing was subject to change and not providing a firm price.

OPPD's legal counsel noted that the proposal response from The L.E. Myers Co. included minor revisions to certain contract provisions; however, the alternate terms are minor, thus the proposal was deemed legally responsive.

The other remaining proposals from High Voltage Inc, Ward Electric Company, Inc., and Watts Electric Company were deemed to be legally responsive.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposal received from The L.E. Myers Co. took numerous exceptions and clarifications to the price proposals that would subjectively change the price of the work. Based on an economic evaluation of the clarifications with the scope of work included in the contract, the proposal from The L.E. Myers Co. was deemed technically non-responsive.

All remaining legally responsive proposals were deemed 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. 6069 Fall 2023 Transmission Construction be awarded to High Voltage Inc for the evaluated amount of One Million, Six Thousand, Six Hundred, Eighty-One Dollars and Twenty-Four Cents (\$1,006,681.24).

DocuSigned by:

*Dannie D. Buelt*

8DD76142405543E  
Dannie Buelt, P.E.  
Director Engineering  
Utility Operations

<p style="text-align: center;"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Thursday,                  July 13, 2023, in Omaha, Nebraska</p> <p style="text-align: center;">Anticipated Award Date                  August 18, 2023</p> <p style="text-align: center;"><b>ENGINEER'S ESTIMATE</b></p> <p style="text-align: center;">\$1,200,000.00</p>	<p><b>REQUEST FOR PROPOSAL NO. 6069</b>  <b>2023 Fall Transmission Construction</b></p> <p style="text-align: right;">Page 1 of 2</p>			<p>DocuSigned by:    <small>0171422F78EE492</small>                  Director</p> <p>  <small>8A15534EAB784CC</small>                  Compiled by and Certified Correct</p>													
<p><b>BID ITEM</b></p>	<p><b>BIDDER'S NAME &amp; ADDRESS</b></p>																
	<p>The L.E. Myers Co                  1405 Jackson Street Marshalltown,                  IA, 50158</p>	<p>Ward Electric Company, Inc.                  9586 E. I-25 Frontage Rd. Ste. B                  Longmont, CO, 80504</p>	<p>High Voltage Inc                  P.O. Box 428                  Vernal, UT, 84078</p>														
<p><b>1. Price Proposal:</b>                  Lump sum firm price ("Contract Price") to perform all Work as specified. Total of all bid items from price quotation summary tab of "Attachment A" worksheet and reflected on page 23 of this RFP.</p> <p><b>2. Completion Date Guarantee(s):</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Start Installations: September 18, 2023</td> <td style="width: 50%;"></td> </tr> <tr> <td>Complete Installations: December 29, 2023</td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> <tr> <td> </td> <td></td> </tr> </table>	Start Installations: September 18, 2023		Complete Installations: December 29, 2023												<p><b>SUPPLIER'S BID</b></p> <p><u>\$1,049,804.44</u></p> <p><b>Guaranteed Completion Date</b></p> <p><u>September 18, 2023</u></p> <p><u>December 29, 2023</u></p> <p>-</p> <p>-</p>	<p><b>SUPPLIER'S BID</b></p> <p><u>\$1,907,256.09</u></p> <p><b>Guaranteed Completion Date</b></p> <p><u>September 18, 2023</u></p> <p><u>December 29, 2023</u></p> <p>-</p> <p>-</p>	<p><u>Contract Price read at bid opening:</u>  <u>\$958,744.04</u>  <u>\$958,744.04</u></p> <p><u>Contract Price including change order allowance: \$1,006,681.24</u></p> <p><b>Guaranteed Completion Date</b></p> <p><u>September 18, 2023</u></p> <p><u>December 29, 2023</u></p> <p>-</p> <p>-</p>
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<p align="center">BID ITEM</p>	<p align="center"><b>BIDDER'S NAME &amp; ADDRESS</b></p>												
	<p>Watts Electric Company      13351 Dover Street      Waverly, NE, 68462</p>	<p>Brink Constructors Inc.      2950 North Plaza Drive      Rapid City, SD, 57702</p>											
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<p><b>1. Price Proposal:</b> Lump sum firm price ("Contract Price") to perform all Work as specified. Total of <u>all</u> bid items from price quotation summary tab of "Attachment A" worksheet and reflected on page 23 of this RFP.</p>	<p align="center"><u>\$2,907,401.27</u></p>	<p align="center"><u>\$2,454,280.29</u></p>	<p align="center"><u>\$ _____</u></p>										
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July 20, 2023

Omaha Public Power District  
444 South 16<sup>th</sup> Street  
Omaha, NE 68102

RE: Request for Proposal No. 6069 – Fall 2023 Transmission Construction (RFP No. 6069)

Ladies and Gentlemen:

We have reviewed the five (5) proposals received in response to RFP No. 6069 and provide the following legal opinion.

The proposal of Brink Constructors, Inc. states that the price set forth in the proposal is subject to change. The proposal further states that final quantities are subject to change and that the proposal is subject to mutual agreement of the parties. This is a sealed bid contract, which requires bidders to respond to the contract documents contained in the bid package and to submit a firm price. The Brink proposal is legally non-responsive to RFP No. 6069 and cannot be considered for the award of this contract.

The proposal of L.E. Myers Company includes limited exceptions to the construction services contract. We have reviewed the exceptions, and they are legally acceptable. The remaining three proposals do not contain substantive exceptions to the contract documents.

Subject to the foregoing comments and the District's technical and economic evaluation, all proposals received for RFP No. 6069, except the proposal of Brink Constructors, Inc., may be considered by the District's Board of Directors for the award of this contract. The form of performance and payment bond also must be approved by the Board.

Very truly yours,



Stephen M. Bruckner  
FOR THE FIRM

SMB:sac  
3036733



# Board Action

## BOARD OF DIRECTORS

August 15, 2023

### ITEM

Award RFP No. 6069 Fall 2023 Transmission Construction

### PURPOSE

Board of Directors authorization to award a contract for construction services regarding transmission system modifications.

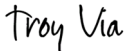
### FACTS

- a. Relocation of a 345kV transmission line is required for a customer project.
- b. Five (5) wood 345kV structures were identified to be near the end of their useful life and will be replaced.
- c. Ten (10) wood 345kV structures were identified for replacement as part of uprating the line capacity in support of load growth in the service territory.
- d. Retirement of 3.1 miles of 69kV line that is no longer needed and has reached the end of useful life.
- e. Reconfiguration of overhead 69kV and 161kV lines in preparation for an underground 69kV project.
- f. Construction labor includes structure erection and framing, installation of conductor and shield wire, and removal of existing structures, conductor, shield wires, and transmission line hardware.
- g. Five (5) proposals were received. Four (4) proposals are legally responsive, and one (1) is legally non-responsive. Three (3) of the four (4) legally responsive proposals are also technically responsive.
- h. Construction to begin in September 2023 and conclude in December 2023.
- i. The bid from High Voltage Inc was evaluated to be the lowest and best bid.


### ACTION

Authorization by the Board to award a labor contract to High Voltage Inc in the amount of One Million, Six Thousand, Six Hundred Eighty-One Dollars and Twenty-Four Cents (\$1,006,681.24) for the procurement of construction services to construct and modify the transmission lines based on the evaluation of RFP No. 6069 Fall 2023 Transmission Construction.

### RECOMMENDED:

DocuSigned by:  
  
 181107221FA24AE...  
 Troy R. Via  
 Chief Operating Officer and  
 Vice President – Utility Operations

### APPROVED FOR BOARD CONSIDERATION:

DocuSigned by:  
  
 AC399FDCE36247E...  
 L. Javier Fernandez  
 President and Chief Executive Officer

TRV:sjh

- Attachments: Analysis of Proposals  
 Tabulation of Bids  
 Legal Opinion  
 Resolution