



Moody/Via

**RESOLUTION NO. 6619**

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

**REQUEST FOR PROPOSAL (RFP) NO. 6111  
REPAIR OR REPLACE NC2 BFP SPARE MOTOR**

**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; and

**WHEREAS**, Section 70-637(5) of the Nebraska Revised Statutes authorizes the District’s Board of Directors to reject proposals if they are not responsive to the Request for Proposal and to authorize Management to pursue a negotiated contract without compliance with the sealed bidding provisions of Section 70-637 through 70-639; and

**WHEREAS**, the Board of Directors concurs with management’s recommendation that all the proposals for RFP No. 6111 are technically and/or legally non-responsive.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Omaha Public Power District that all proposals received in response to Request for Proposal No. 6111 are rejected and Management is authorized to negotiate and enter into a contract or contracts for the repair and refurbishing of the existing BFP, subject to review and approval of the final contract(s) by the District’s General Counsel.



## MEMORANDUM

**DATE:** December 8, 2023

UO-2023-026

**FROM:** C.J. Zavadil

**TO:** T.R Via

**SUBJECT:** Nebraska City Station Unit 2 Spare Boiler Feedwater Pump Motor Repair

### 1.00 GENERAL

Request for Proposal (RFP) No. 6111 is for the contract to repair or replace the Nebraska City Unit 2 (NC2) spare Boiler Feedwater Pump (BFP) Motor (2FWA-001A-M). This motor failed in-service on June 24, 2023, due to an electrical ground, and was replaced with the available on-site spare motor. Due to similar initial budgetary estimates between repairing the existing motor and replacing with new, both options were considered under RFP 6111.

There are three identical BFP motors located at NC2. Two are installed in the plant and one is stored as a spare. The two installed motors drive two 50% capacity BFP trains and are both needed for full load on NC2. Over the life of the plant, the three motors have been rotated through the installed and spare locations.

The installed motors are a mechanical and electrical asset that, like all such equipment, can fail unexpectedly. And because the lead time to procure a replacement motor is about 9 months or greater, both motors are required to reach full load, and the capacity availability of the station is needed so it is prudent to restore the failed motor to a functional spare.

The contract was advertised on October 19, 2023. Two letters of clarification were issued. Bids were received and opened on November 16, 2023. Four companies submitted bids. The Engineer's estimate for this work was \$600,000. The bid prices are as follows:

	<u>Replace Option</u>	<u>Repair Option</u>
Northwest Electric LLC	\$554,659	\$376,913
Electric Machinery (WEG)	N/A	\$556,475
Hupp Electric Motors	\$655,844	\$395,120
DMG Inc (Malloy Electric)	\$705,916	\$443,060

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## 2.00 COMPLIANCE WITH CONTRACT TERMS AND CONDITIONS

The proposals were referred to the District's legal counsel for review. The proposals received from Northwest Electric, LLC and Hupp Electric Motors were found legally responsive and may be considered by the Board of Directors for the award of this contract.

The District's legal counsel noted the proposal from DMG, Inc. is legally non-responsive due to including a 2018 Master Procurement Agreement. On November 27, 2023, DMG, Inc. submitted a letter stating they would withdraw their terms and conditions that were submitted and replace them with the terms and conditions supplied with the RFP documents. With this clarification, DMG, Inc's proposal may be considered by the Board of Directors for the award of this contract.

The District's legal counsel also noted the proposal from Electric Machinery Group is legally non-responsive due to submitting its own terms and conditions with their proposal. Electric Machinery Group was unable to agree upon OPPD's terms and conditions without negotiation and therefore, may not be considered by the Board of Directors for the award of this contract.

## 3.00 COMPLIANCE WITH TECHNICAL REQUIREMENTS

The proposals were reviewed for technical compliance with the specifications and requirements contained within the RFP documents. The proposal received from Northwest Electric was found to lack sufficient information as required by Section III and V of RFP documents to allow evaluation of compliance with the contained specifications. Therefore, this proposal was deemed technically non-responsive.

The remaining proposals received from Electric Machinery Group, Hupp Electric Motors, and DMG, Inc were all found to have various exceptions to the requirements of the RFP documents associated with Option #2: Repair of the Existing Motor, and therefore were ultimately deemed technically non-compliant. Specific examples include, but are not limited to, inability to perform repair tasks or testing as defined by the specifications and failure to supply all required information requested by the RFP documents to allow evaluation of compliance with the contained specifications.

## 4.0 RECOMMENDATION

After evaluation of the bids received, the option to repair the exiting motor will be pursued rather than replacement based on evaluated lower risk to the District with the proposed lower pricing and shorter lead times.

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However, based on both the legal and technical non-compliance with the requirements of this RFP as outlined in the preceding sections, it is recommended that all proposals received for RFP No. 6111 be rejected by the Board of Directors and that District Management be authorized to enter into negotiations with selected bidders and award a contract. The scope of the negotiated contract will only include Option #2 of the RFP: Repair and Refurbish Existing BFP.



DocuSigned by:

*Clint T. Zavadil, P.E.*

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C.J. Zavadil P.E.  
Director, Asset Management  
Utility Operations

<p align="center"><b>TABULATION OF BIDS</b>                  Opened at 2:00 p.m., C.S.T., Thursday,                  November 16, 2023, in Omaha, Nebraska</p>		<p align="center"><b>REQUEST FOR PROPOSAL NO. 6111</b></p> <p align="center"><b>Repair or Replace NC2 BFP Spare Motor</b></p>		<p align="right">DocuSigned by:                    C171422F76EE422...  <b>Director</b></p> <p align="right">Supply Chain Management                    5EC5B88907EE4F6...                  Compiled by and Certified Correct</p>	
<p align="center">Anticipated Award Date                  December 21, 2023</p>					
<p align="center"><b>ENGINEER'S ESTIMATE</b>   <u>\$600,000.00</u></p>					
<p align="center"><b>BID ITEM</b></p>		<b>BIDDER'S NAME &amp; ADDRESS</b>			
		<p align="center">Northwest Electric LLC                  9811 N.135th Street                  Waverly, NE 68462</p>	<p align="center">Electric Machinery Company                  A WEG Group                  800 Central Ave NE                  Minneapolis, MN 55413</p>	<p align="center">Hupp Electric Motors                  500 57th Street                  Marion, IA 52302</p>	
		<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	
1.	<b><u>Proposal Pricing</u></b>				
	<p>Option #1 Supply One (1) BFP Replacement Motor                  Lump Sum Firm Price</p>	<u>\$554,659.00</u>	<u>N/A</u>	<u>\$655,844.00</u>	
	<p>Option #2: Repair and Refurbish Existing BFP Motor                  Lump Sum Firm Price</p>	<u>\$376,913.51</u>	<u>\$556,475.00</u>	<u>\$395,120.00</u>	
2.	<b><u>Delivery Guarantee(s)</u></b>	<b><u>Guaranteed Delivery Date</u></b>	<b><u>Guaranteed Delivery Date</u></b>	<b><u>Guaranteed Delivery Date</u></b>	
	<p>Option #1 Supply One (1) BFP Replacement Motor                  Desired delivery date: September 12, 2024</p>	<u>9/12/2024</u>	<u>N/A</u>	<u>9/12/2024</u>	
	<p>Option #2 Repair and Refurbish Existing BFP Motor                  Desired delivery date: April 24, 2024</p>	<u>4/24/2024</u>	<u>5/9/2024</u>	<u>4/19/2023</u>	

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<p align="center"><b>ENGINEER'S ESTIMATE</b>  <u>\$600,000.00</u></p>					
<p align="center"><b>BID ITEM</b></p>		<b>BIDDER'S NAME &amp; ADDRESS</b>			
		<p align="center">DMG Inc dba Malloy Electric                  809 W Russell St.                  Sioux Falls, SD 57104</p>			
		<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	<b>SUPPLIER'S BID</b>	
1.	<b>Proposal Pricing</b>				
	Option #1 Supply One (1) BFP Replacement Motor Lump Sum Firm Price	<u>\$705,916.65</u>			
	Option #2: Repair and Refurbish Existing BFP Motor Lump Sum Firm Price	<u>\$443,060.00</u>			
2.	<b>Delivery Guarantee(s)</b>	<u>Guaranteed Delivery Date</u>	<u>Guaranteed Delivery Date</u>	<u>Guaranteed Delivery Date</u>	
	Option #1 Supply One (1) BFP Replacement Motor Desired delivery date: September 12, 2024	<u>9/12/2024</u>			
	Option #2 Repair and Refurbish Existing BFP Motor Desired delivery date: April 24, 2024	<u>5/23/2024</u>			



Stephen M. Bruckner  
ATTORNEY  
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fraserstryker.com

November 22, 2023

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

RE: Request for Proposal No. 6111 – Repair or Replace NC2 Spare Motor

Ladies and Gentlemen:

We have reviewed the four (4) proposals received in response to the District's RFP No. 6111 and provide the following legal opinion.

The proposal of Electric Machinery bids only on the Option No. 2 set out in the RFP. Electric Machinery Group has submitted its own terms and conditions with the proposal. If this proposal is to receive further consideration, OPPD must obtain a letter of clarification from Electric Machinery Group withdrawing those submitted terms and conditions and agreeing to use OPPD's contract included with the RFP documents.

The proposal of DMG, Inc. appears to include a 2018 OPPD Master Procurement Agreement. DMG, Inc. should clarify that it is willing to utilize the current form of agreement that was included with the RFP documents.

If OPPD does not receive the referenced letters of clarification, then the proposals of Electric Machinery Group and DMG, Inc. will be deemed legally nonresponsive to the contract documents.

Subject to the foregoing comments and the District's technical and economic evaluation, the four (4) proposals received in response to the District's RFP No. 6111 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 District.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Stephen M. Bruckner', written over a light blue horizontal line.

Stephen M. Bruckner  
FOR THE FIRM

SMB:nu  
3100366

Fraser Stryker PC LLO

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



# Board Action

## BOARD OF DIRECTORS

December 19, 2023

### ITEM

Nebraska City Station Unit 2 (NC2) Spare Boiler Feedwater Pump Motor Repair

### PURPOSE

Board of Directors authorization to reject the proposals received for RFP No. 6111 and authorize the District to enter into a negotiated contract for the repair of the existing failed spare Boiler Feedwater Pump (BFP) Motor for Nebraska City Station Unit 2.


### FACTS

- a. The subject motor failed electrically in-service and requires a full refurbishment, including stator rewind, to be returned to the station as a functional spare.
- b. The District requested bids for both the option to repair the existing motor or supply a direct replacement motor. After evaluation of bids received, the District has chosen to pursue the option to repair the existing motor rather than replacement.
- c. Four bids were received. One bid was found to be legally non-responsive. All four (4) bids were deemed to be technically non-compliant.


### ACTION

Authorization by the Board of Directors to reject all proposals received for RFP No. 6111 Repair or Replace NC2 BFP Spare Motor and allow District Management to enter into and award a negotiated contract.

### RECOMMENDED:

DocuSigned by:  
  
181167221FA24AE...  
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:cdr

Attachments: Letter of Recommendation  
Tabulation of Bids  
Legal Opinion  
Resolution