

## HOUSE BILL No. 2234

By Committee on Commerce, Labor and Economic Development

1-31

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1 AN ACT relating to state construction or building improvement projects;  
2 increasing the cost threshold for the mandatory convening of a  
3 negotiating committee by the secretary of administration or agency  
4 head and the selection of architectural, engineering or land surveying  
5 services from a list of qualified firms; changing the measure of the cost  
6 threshold from "total project cost" to "construction cost"; amending  
7 K.S.A. 75-1253 and 75-5804 and repealing the existing sections.  
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9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 75-1253 is hereby amended to read as follows: 75-  
11 1253. (a) Whenever it becomes necessary in the judgment of the secretary  
12 of administration or in any case when the ~~total~~ *construction* cost of a  
13 project for the construction of a building or for major repairs or  
14 improvements to a building for a state agency is expected to exceed  
15 ~~\$1,000,000~~ *\$1,500,000*, the secretary of administration shall convene a  
16 negotiating committee. The state building advisory commission shall  
17 prepare a list of at least three ~~and~~ *but* not more than five firms ~~which that~~  
18 are, in the opinion of the state building advisory commission, qualified to  
19 serve as project architect, engineer or land surveyor for the project. Such  
20 list shall be submitted to the negotiating committee, without any  
21 recommendation of preference or other recommendation.

22 (b) The secretary of administration may combine two or more  
23 separate projects for the construction of buildings or for major repairs or  
24 improvements to buildings for state agencies, for the purpose of procuring  
25 architectural, engineering or land surveying services for all such projects  
26 from a single firm. In each case, the combined projects shall be construed  
27 to be a single project for all purposes under the provisions of K.S.A. 75-  
28 1250 through 75-1267, and amendments thereto.

29 (c) (1) This section shall not apply to any repetitive project with a  
30 standard plan that was originally designed by the secretary of  
31 administration or an agency architect pursuant to K.S.A. 75-1254(a)(2)  
32 and (3), and amendments thereto. In such a case, the secretary of  
33 administration or the agency architect may provide architectural services  
34 for the repetitive project.

35 (2) "Repetitive project" means a project ~~which that~~ uses the same  
36 standard design as was used for a project constructed previously,

1 including, but not limited to, sub-area shops and salt domes of the  
2 department of transportation and showers and toilet buildings of the  
3 Kansas department of wildlife, ~~and parks and tourism~~. The plans for the  
4 project may be modified as required for current codes, operational needs  
5 or cost control. The total floor area of the project may be increased by an  
6 area of not more than 25% of the floor area of the originally constructed  
7 project, except that not more than 25% of the linear feet of the exterior and  
8 interior walls may be moved for such increase. A project shall not be  
9 considered to be repetitive if it has been over four years between the  
10 substantial completion of the last project using the design plans and the  
11 appropriation of funds for the proposed project.

12 Sec. 2. K.S.A. 75-5804 is hereby amended to read as follows: 75-  
13 5804. (a) Whenever it becomes necessary in the judgment of the agency  
14 head of a state agency for which a project is proposed and, in any case  
15 where the ~~total~~ construction cost of such a proposed project is expected to  
16 exceed ~~\$500,000~~ \$1,500,000, the agency head shall convene a negotiating  
17 committee. Except as otherwise provided in subsection (b), the agency  
18 head shall submit the list of at least three ~~and but~~ not more than five of the  
19 most highly qualified firms to the negotiating committee so convened,  
20 without any recommendation of preference or other recommendation.

21 (b) Whenever a negotiating committee is convened under this section  
22 for a proposed project requiring engineering or land surveying services  
23 ~~which that~~ concerns the construction of any building or facility or any  
24 major repairs or improvements to any building or facility, including but not  
25 limited, to any heating, cooling or power facility, for a state agency, the  
26 agency head for the state agency shall notify the state building advisory  
27 commission of the project and shall request a list of firms qualified to  
28 provide the engineering or land surveying services for the proposed  
29 project. Upon receipt of any such request the state building advisory  
30 commission shall evaluate the current statements of qualifications and  
31 performance data on file, together with those statements that may be  
32 submitted by other firms regarding the proposed project and other  
33 information developed and available to the state building advisory  
34 commission. The commission shall prepare a list of at least three ~~and but~~  
35 not more than five firms ~~which that~~, in the opinion of the state building  
36 advisory commission, are qualified to furnish the engineering or land  
37 surveying services for the proposed project. Each such list shall be  
38 submitted to the negotiating committee so convened without any  
39 recommendation of preference or other recommendation.

40 Sec. 3. K.S.A. 75-1253 and 75-5804 are hereby repealed.

41 Sec. 4. This act shall take effect and be in force from and after its  
42 publication in the statute book.