

Approved: 2/26/93  
Date

## MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on February 23, 1993 in Room 123-S of the Capitol.

Members present: Senators Burke, Downey, Feleciano, Jr., Gooch, Harris, Hensley, Kerr, Petty, Ranson, Steffes and Vidricksen

Committee staff present: Lynne Holt, Legislative Research Department  
Bob Nugent, Revisor of Statutes  
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee: Senator Ben Vidricksen  
Bob Totten, Kansas Contractors Association, Topeka  
Bob Walshire, Andrews & Walshire Construction, Inc., Topeka  
Butch Spray, Venture Corporation, Great Bend  
Michael Welch, BRB Contractors, Inc., Topeka  
Bob Corkins, Director of Taxation, KCCI  
Beverly Bradley, Kansas Association of Counties  
Marjory Scheufler, Edwards County Commissioner  
Dudley Feuerborn, Anderson County Commissioner  
Dan Harden, Riley County Engineer and Director of Public Works, Manhattan  
Harvey County Commissioners, Newton  
Christopher M. Carrier, Director of Public Works/Ford County Engineer, Dodge City  
Dick Brown, Smoky Hill, Inc., Salina

Others attending: See attached list

### Hearing on SB 86--Requiring project cost estimates on county roads and bridges

Senator Ben Vidricksen explained **SB 86** is a privatization bill. He submitted an amendment to the bill which would correct the language to what was intended when the bill was drafted. The amendment deletes the sentence on page 2, beginning on line 7 and all of lines 8 and 9, "The provisions of this section shall not apply to any work the estimated cost of which exceeds \$50,000."

Senator Vidricksen moved to adopt the amendment striking the language on page 2, starting with "The" on line 7 and all of lines 8 and 9. The motion was seconded by Senator Ranson. The motion passed.

Bob Totten, Kansas Contractors Association, testified in support of **SB 86**. The Kansas Contractors Association supports the competitive bid process where the public obtains the services of competent contractors, the quality of the work is bonded, and the final cost of the work is known and guaranteed, see Attachment 1.

Bob Walshire, Andrews & Walshire Construction, Inc., testified Saline and Shawnee counties' engineering budgets determine how many hours were worked and how much materials were used on a project, but they are not tracked to determine how that relates to a specific improvement project. If **SB 86** is passed, counties could determine whether a job could be built economically by county forces, and if it could not, the project should be put out for bids in hopes Kansas contractors who pay taxes can perform the work, see Attachment 2.

Butch Spray, Venture Corporation, testified in support of **SB 86**. He stated **SB 86** requires public officials to estimate and keep accurate cost of performing certain work. The cost to obtain the total and unit cost of a project is less than 1 percent of their volume, see Attachment 3.

Michael Welch, BRB Contractors, Inc., testified by implementing **SB 86**, county governments will use the tools of technology to become more frugal and conscientious when constructing or refurbishing their

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on February 23, 1993.

infrastructure. The elected overseers of county staffs will then be able to hold them accountable for their actions. He stated his company is competitive and looks forward to an opportunity to compete with most public maintenance and construction crews, but would like to compare real costs. Some of the costs would be vacations, health insurance, other fringes (retirement), equipment utilization, purchasing power, experienced people, idle manpower (rainy days, etc.), yards and buildings, utilities, property taxes, liability/property insurance, equipment, etc, see Attachment 4.

Bob Corkins, Director of Taxation, Kansas Chamber of Commerce and Industry, testified KCCI supports **SB 86**. This plan for more specific county cost estimates on proposed road and bridge construction projects is very worthwhile on its own merits. However, it is also a critical first step toward any greater privatization of government-produced services. This bill attempts a much more reliable determination of who is the most economical and efficient producer, government or private business.

Mr. Corkins distributed two articles in regard to a software package entitled "ROADS". The articles explain how ROADS would not only allow an easy accounting of the factors proposed in **SB 86**, it would also reduce current accounting burdens. He also stated if accounting responsibilities prove too burdensome for local governments to conduct themselves, perhaps even the accounting function itself should be contracted out to the private sector, see Attachment 5.

Beverly Bradley, Kansas Association of Counties, introduced Marjory Scheufler, Edwards County Commissioner, Dudley Feuerborn, Anderson County Commissioner and Dan Harden, Riley County Engineer and Director of Public Works.

Marjory Scheufler, Edwards County Commissioner, testified in opposition to **SB 86**. The Kansas Association of Counties, of which she is a member, approved a policy which opposes the efforts to impose new more restrictive accounting procedures and project cost estimates for counties to follow when involved in highway construction and renovation projects. In small counties, such as Edwards County, the requirements of **SB 86** would be very difficult to meet and would add additional financial burdens, see Attachment 6.

Dudley Feuerborn, Anderson County Commissioner, testified the Board of County Commissioners in Anderson County, as well as the Kansas County Commissioners Association, is opposed to **SB 86**, and the additional requirements that would be placed on counties to construct or maintain their county roads and bridges. Many small counties do not have a county engineer and certainly do not have people in that department with an accounting background. The additional restrictions outlined in **SB 86** only add to the financial burden and do nothing to alleviate problems or help the efficiency in the public works department, see Attachment 7.

Dan Harden, Riley County Engineer and Director of Public Works, testified on behalf of the Riley County Public Works and the legislative committee of the Kansas County Highway Officials Association, which is a part of the Kansas Association of Counties. He stated the bill addresses the issue of cost accounting road improvements greater than \$10,000. Cost accounting is a good management practice and is also a costly undertaking. This legislation is ill advised as most small Kansas counties do not have, on staff, the accounting expertise called for in the bill. The bill, if implemented, will increase project overhead costs by the cost of the accounting.

Mr. Harden said county commissions are capable of making good decisions and he asked the Committee continue to allow Kansas counties the freedom to make local decisions where they are best made, in the county courthouse, see Attachment 8.

Dick Brown, Smoky Hill, Inc., a Salina contractor, testified that with planning and computers, counties can reduce the extra accounting costs to a minimum.

Written testimony submitted by the Harvey County Board of Commissioners, opposing **SB 86** was distributed to the Committee, see Attachment 9.

Written testimony was submitted by Christopher M. Carrier, Director of Public Works, Ford County Engineer. In his prepared statement he stated this legislation amounts to another state mandate without the corresponding state funding. He requested the Committee not support **SB 86**, see Attachment 10.

Mr. Totten offered to prepare an amendment to address opponents' concerns about emergency work.

### Consideration of confirmation:

The Chairman asked the Committee to consider the confirmation of R. J. Breidenthal, Jr.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m.  
on February 23, 1993.

Senator Steffes moved to recommend to the Senate the appointment of R. J. Breidenthal, Jr., to the Kansas Technology Enterprise Corporation, Board of Directors, term expiring on April 13, 1995. Senator Vidricksen seconded the motion. The motion passed.

The Committee meeting was adjourned at 9:00 a.m.

The next meeting is scheduled for February 26, 1993.

## GUEST LIST

COMMITTEE: SENATE COMMERCE COMMITTEE

DATE: 2/23/93

[illegible]



# THE KANSAS CONTRACTORS ASSOCIATION, INC.



1923 - 1993

**70**

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## CONSTRUCTION BY GOVERNMENT FORCES

The Kansas Contractors Association believes the first tenet of government procurement must be the reliance on free and open competition. The KCA recommends that all construction contracts be let on an open competitive basis with awards being made to the lowest responsible bidder.

Presently, many counties in Kansas use their own public work forces to construct highways and bridges. The KCA believes this is not the most efficient and economical manner to construct public works projects. The KCA recommends counties develop detailed costs comparisons of accomplishing construction in-house versus contracting out their work. Taxpayers prefer being able to review these cost comparisons studies to assure that their public funds are spent in the most economic manner.

The KCA is in support of legislation which would require county public works departments to prepare estimates in advance of beginning any road, bridge or culvert project. On all labor costs performed by county forces, the county engineer should keep an itemized account of expenditures. This proposal would ensure the expenditure of county funds for public works projects in the most efficient manner and provide accountability for county funded constructed projects.

The KCA supports the competitive bid process where the public obtains the services of competent contractors, the quality of the work is bonded, and the final cost of the work is known and guaranteed.

*Commerce*  
*2/23/93*  
*1-1*





**ANDREWS & WALSHIRE CONSTRUCTION, INC.**

**TESTIMONY**

**BEFORE SENATE COMMERCE COMMITTEE**

**SENATE BILL 86**

**February 23, 1993**

Madam Chairman and Members of the Committee:

Thank you very much for allowing me to testify this morning. I am Bob Walshire, President of Andrews & Walshire Construction, Inc. here in Topeka. We primarily do asphalt paving with some concrete work and milling.

I am in support of Senate Bill 86. This legislation is to provide two things - efficiency in government and the opportunity for contractors to bid on work presently done by our local governments. We feel when you are comparing apples to apples, the private contractor can do various street and highway projects in the state for less money than what is being done by our county public works departments.

This measure, Senate Bill 86, would require the counties, to account for every penny that is to be spent on a project. These figures are not currently being compiled, prior to a project being constructed. Even after a project is completed the counties do not know what it actually cost them.

Wouldn't you like to know your government dollars are being spent economically? We, as taxpayers sure would!



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*Commerce*  
*2/23/93*

*Attachment*  
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*913-232-0122-1*

In both Saline and Shawnee counties, where we, the Kansas Contractors Association, have contracted with CPA firms to review the county engineering budgets, we have found the compiled figures are inadequate. These counties determine how many hours were worked and how much materials were used, but they are not tracked to determine how that relates to a specific improvement project. This destroys your ability to see what a specific project costs to build. I feel by passing Senate Bill 86, counties could determine whether a job could be built economically by county forces. If it could not, the project should be put out for bids in hopes our Kansas contractors who pay taxes can perform the work.

When I speak of public works departments keeping inadequate track of what a project costs; I mean that they do not include the costs relating to depreciation, equipment operating expense, pension plans, and the exact costs relating to the hours spent on the job like we do in the private sector. Many times counties buy very expensive and specialized equipment and only put a few hours a year on this equipment. This in itself is very wasteful. In our review of the two counties mentioned, I must say we have seen many discrepancies on what is included in project costs. But mainly, it is impossible to currently determine what a major improvement has cost the county.

Since our review of the Saline County road and bridge department, public officials have determined many projects can be more economically built through private enterprise. Last year, for the first time, they began putting out for bid all the bridges to be built in that county.

Saline and Shawnee counties are not isolated situations in the state and that is why we are seeking state legislation to change this situation.

*Att 2-2*

In addition, I want to outline concerns I have as a local taxpayer. I have been dismayed to see a paving jobs in Shawnee County being done by local county crews. I am disappointed for three reasons: 1) The project was not put out for bids so we did not get a chance to get the work; 2) They are using a crew of 15 to do a job I know only takes 7 people; 3) The quality of the improvements completed by county crews is not near that required of the private contractor.

This is happening in Shawnee County. Other contractors throughout the state have told me similar stories. When we are trying to save every penny in operating our local governments, why is it we are spending money unwisely? When we first talked to local governments about this, they complain that it will be an accounting nightmare, meaning the addition of more staff people. I dare say, if you could add a staff person to save you tens of thousand of dollars, wouldn't you do it? **I THINK YOU WOULD.** Also, wouldn't it be better for counties to plan their expenditures instead of just spending what is available.

I thank you for your time and I stand ready for any questions.

*Att 2-3*



VENTURE CORPORATION

MEMBER



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TESTIMONY

BY ORVILLE (BUTCH) SPRAY

PRESIDENT OF VENTURE CORPORATION

BEFORE THE SENATE COMMERCE

COMMITTEE REGARDING SENATE BILL NO. 86

Mr. Chairman and members of the committee, I want to thank you for allowing me the opportunity to appear and discuss this most vital issue. My name is Orville Spray. I am President of Venture Corporation, a Highway Contractor from Great Bend, Kansas. I am also treasurer of the Kansas Contractors Association.

I am here today to ask you to support this bill. I am not here as a private contractor interested in expanding our markets. I am here as a political conservative taxpayer interested in good, responsible government.

This bill simply requires our public officials to estimate and keep accurate cost of performing certain work. This requirement is natural for every business up and down main street. Cost accounting is an elementary rule of business and a foundation of any financial expenditure.

If I were a public official I would consider our cost of performing work to be of great importance. I would be extremely concerned with the responsibility of spending the taxpayers money. I would want to be assured, thru needed financial information, that I was maximizing the benefit to the community.

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*Attachment 3-1*

# VENTURE CORPORATION

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page two

Quite honestly, I do not understand why we even need this law. It is inconceivable that our public officials are not presently doing this as a matter of "standard operating procedure".

The question, it would seem, simply should be: which approach or combination of approaches is best for the taxpayer. It is possible, even probable, some services can be contracted and delivered to the public at a lesser cost. This would be a relief to the burdened taxpayer. In order for this to be determined an accurate cost estimate and cost accounting system must be in place.

This ideal and procedure is being implemented across the Nation.

In Oregon, in 1986, Legislation was passed which required "every effort to construct public improvements at the least cost to the Public Agency." It went on to state "if a Public Agency fails to adopt and apply a cost accounting system that substantially complies with the model cost accounting guidelines -----it shall not construct a public improvement with its own equipment or personnel if the cost is in excess of \$5,000.00."

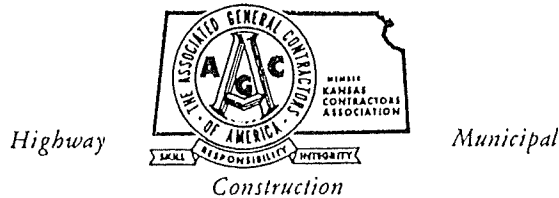
In Phoenix, in 1978, after California's Proposition 13, The City Council approved a call for competitive bids from private companies to collect city refuse. The Mayor ask the City's Director of Public Works "are you going to compare their bids with your cost". In order to do this a cost must be kept. In the end, Phoenix saved millions of dollars thru cost accounting and competitive bids.

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*Attachment 3-2*

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page three

In 1984 the U.S. Department of Housing and Urban Development conducted a study comparing Municipal and Private service delivery. Eight local government services were studied. These included such items as street cleaning, janitorial services, payroll preparation, asphalt overlays, etc. The cost data was obtained from cities who contracted services and cities who provided the services with Municipal employees. Acceptable accounting principals were used. In all cases except payroll preparation, the services could be provided by private contractors for a savings of from 28% to 96%.

Other considerations:

1. In 1986, 33 States had cost accounting systems in place or mandatory competitive bid requirements.
2. An analysis of a project discloses that a contractor pays back to the public in taxes about 8% of the project cost. The recycling of these taxes is a benefit greater than the initial amount of the tax by 1.3 times or 11% of the project.
3. The people of Oregon, when polled, by a 7 to 1 margin believed obtaining private contractors bids should be a prerequisite to performance of public works projects.

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*Attachment 3-3*

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page four

Why would anyone object to a cost accounting system?

1. It costs too much.

Our Company does approximately 20 million in construction work per year. This represents 50 to 75 different projects. Our cost to obtain the total and unit cost of the individual items is near \$13,000.00 or 0.065% of our volume.

In discussion with other types of business, their owners all have a cost control system which cost 1% or less of their volume.

Barton county has a budget of \$2,082,155.85. That means, using my formula for my construction company, one person would be needed to maintain the cost accounting that I am talking about, and you know, they already have a bookkeeper on staff handling their accounting work.

My point is, there is no need to add people to the payroll to do this accounting work.

I know, because when the state adds another item to the bids that I am working on, it just becomes another part of the work for the accountant, and the same would hold true for the counties.

They would just have to add another code to their present operation. We do it in our work and I am sure they can do it in their work without any additional cost.

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*2/23/93*

*Attachment 3-4*



# VENTURE CORPORATION

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page five

Conclusion: There is little doubt in my mind you ladies and gentlemen will take the proper action. Let me leave you with a lingering thought. Socialism is a system in which the producers possess both political power and the means of production and distribution. Capitalism is a system characterized by freedom of the market with private and corporate ownership of the means of production and distribution.

Thank you

Commerce  
2/23/93

Attachment 3-5

**BRB Contractors, Inc.**  
**HEAVY AND UNDERGROUND CONSTRUCTION**

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**TESTIMONY**

**BY MICHAEL WELCH**

**PRESIDENT OF BRB CONTRACTORS**

**BEFORE THE SENATE COMMERCE COMMITTEE REGARDING SENATE BILL**

**NO. 86**

Mr. Chairman and members of the Senate Commerce Committee:

Thank you for the opportunity to appear before you today to provide additional comments on Senate Bill 86.

My name is Mike Welch. I am President of BRB Contractors of Topeka. We are a firm specializing in constructing water and wastewater plants and lines, bridges, and telephone cable installations throughout the Midwest. I am also Vice-President of the Kansas Contractors Association.

I am here not only as a contractor, but also, as a citizen who is proud of Kansas and feels that this State should do what it can to remain a conservative place to live, achieve a sound economy, provide an opportunity for its people to achieve greatness, promote excellent education, assure good health, and maintain a healthy environment.

*Commerce*  
*2/23/93*

*Attachment 4-1*

By implementing S.B. 86, I feel that county governments will use the tools of technology to become more frugal and conscientious when constructing or refurbishing their infrastructure. The elected overseers of the county staffs will then be able to hold them accountable for their actions. I have been President of BRB Contractors for a couple of years. For the other 20 some years that I have worked for the Company, the use of appropriate accounting systems was necessary not only for grading ourselves on our effectiveness, but also, for planning and making decisions about which methods, materials, and other resources would provide a quality product at the best cost. Without an acceptable accounting system, our company could not have used historical data to make better future decisions; it could not have chosen the most efficient means to accomplish its goals; it could not have blended the resources of people, materials and equipment to properly construct projects. Instead of being a 30-year old company providing jobs and services to satisfied customers, it would have met the fate of most contractors who do not adequately account for their decisions - a five-year life. Some argue that keeping good financial data costs too much. Ask the shareholders and workers of those lost companies about the "high" cost of records.

Strategic planners often claim that proper planning can  
✓ save 10% or more in costs. They are absolutely correct!  
Without management information systems (plenty data), I do

*Commerce*  
*2/23/93*  
*Attachment 4-2*

not see how a manager (whether private or public) could make efficient, effective decisions, and I do not know how elected officials representing the taxpayers could check the public staff.

Government employees can perform certain tasks at a savings to the taxpayers. Other tasks are most efficiently performed by the private sector. Our Company is competitive and looks forward to an opportunity to compete with most public maintenance and construction crews; but we would like to compare our real costs to theirs. Lets include vacations, health insurance, other fringes (retirement), equipment utilization, purchasing power, experienced people, idle manpower (rainy days, etc.), yards and buildings, utilities, property taxes (?), liability/property insurance, equipment, etc., all legitimate items that do not lend themselves to the "old shoebox" accounting system, where records accumulate but are never used.

In the second paragraph of this testimony, I talked about the good things that we should provide Kansans. I feel that by making government accountable, we will uncover resources that can be used to allow Kansans to prosper.

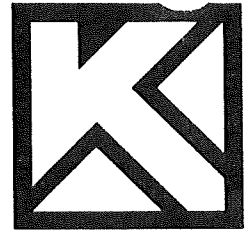
Thank you.

*Commerce*  
*2/23/93*

*Attachment 4-3*



# LEGISLATIVE TESTIMONY



## Kansas Chamber of Commerce and Industry

500 Bank IV Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321

A consolidation of the  
Kansas State Chamber  
of Commerce,  
Associated Industries  
of Kansas,  
Kansas Retail Council  
February 23, 1993

SB 86

### KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony Before the  
Senate Commerce Committee

by

Bob Corkins  
Director of Taxation

Madam Chair and members of the Committee:

My name is Bob Corkins, director of taxation for the Kansas Chamber of Commerce and Industry and I appreciate the chance to express our members' strong support for SB 86. We believe that this plan for more specific county cost estimates on proposed road and bridge construction projects is very worthwhile on its own merits. However, it is also a *critical* first step toward *any* greater privatization of government-produced services.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

My use of the word "produced" is not casually done. KCCI maintains that government should provide for -- i.e. "facilitate" -- the needs of its constituents. Government

*Commerce*  
*2/23/93*  
*Attachment 51*

s d not produce those needed services itself when they may be more economically and efficiently produced by the private sector. This bill attempts a much more reliable determination of who is the most economical and efficient producer...government or private business.

We often never learn the true cost of government projects. Counties do not record their costs per project for such expenses as labor, machinery depreciation, facilities' overhead, and administrative overhead. As long as this shortcoming persists, the private sector simply cannot underbid the public sector. It is therefore essential that the legislature establish a new precedent. Such accounting principles should eventually be expanded to all government activity, and county road projects are as good a place to start as any.

In the past, local governments have opposed this altered accounting responsibility by claiming its financial cost to their operation would be excessive. However, computerization is the answer. A new software package entitled "ROADS" is now being promoted by the Kansas University Transportation Center. ROADS sells for \$75 and a review of its utility is included in the attached articles from KU's *PC-TRANS* publication and the *Pothole Gazette* published by a research organization based in Indiana.

To summarize, the articles explain how ROADS would not only allow an easy accounting of the factors proposed in SB 86, it would also *reduce* their current accounting burdens.

A software demonstration of ROADS was conducted last November 16 in Overland Park and was open to the public. It was presented by the KU Transportation Center, the Kansas Department of Transportation, and the Federal Highway Administration, and was sponsored by the Kansas Association of Counties.

Finally, the need for a broader perspective on privatization can be emphasized in another way: if accounting responsibilities prove too burdensome for local governments to conduct themselves, perhaps even the accounting function itself should be contracted out to the private sector.

KCCI urges you to support SB 86. Thank you, again, for your time.

Commerce  
2/23/93



## Budget Planning and Roads Management ROADS

Managing data and writing progress reports for road construction and maintenance projects are very tedious and time-consuming tasks. In addition, the traditional methods for processing this data and information are expensive; and they often produce inaccurate results. **ROADS** is a computer software program for the PC that provides the local road engineer with a way to manage this data and generate the required reports more efficiently and effectively. This software, which is currently being used by more than 70 local agencies, is an excellent tool for budget planning and road management. With the aid of this program, tedious number crunching and reporting tasks are virtually eliminated and more reliable results are obtained.

### Features

Developed by the Highway Extension and Research Project for Indiana Counties and Cities (HERPICC) at Purdue University, the **ROADS** computer program tracks the costs associated with road maintenance and the garage and maintenance overhead costs for local highway departments. The program has three functions:

- data storage
- data processing
- information reporting.

In August 1990, HERPICC distributed the 3.0 version of the program. This version has some substantial improvements over version 2.1 that make the program much easier to learn and use. The **ROADS** program menu is now shown across the top of the screen—a method used by the popular Lotus 1-2-3<sup>®</sup> spreadsheet program. The 3.0 version also uses a windows-type interface; the user selects a menu item with the cursor, which opens up a box or "window" of sub-options for

that particular function. If desired, a mouse can be used to drive the program. In addition, version 3.0 provides an on-line help function, which gives the user instructions on nearly every program function.

Another new feature is the tool menu. In this menu, three tool functions are provided: a monthly calendar that allows the user to view any month of any calendar year that **ROADS** has in memory, an on-screen calculator that allows the user to perform basic math calculations and a disk services option. Although there are times when the monthly calendar and on-screen calculator functions are convenient, a desktop calculator and a wall calendar are often more practical and advantageous to use. Usually, extra time is needlessly spent using the calendar and calculator options with this program since the tools menu can only be accessed from the main menu.

Cont'd on page 27

## Culvert Analysis and Reinforcing Design PIPECAR AND BOXCAR

**PIPECAR** and **BOXCAR** are separate computer programs designed to assist engineers in the structural analysis and reinforcing design of circular, elliptical and box-shaped culverts. The two programs are virtually identical except that **PIPECAR** designs reinforcement for elliptical and circular culverts, while **BOXCAR** designs reinforcement for box-shaped culverts. This article considers the function of both programs and their slight differences.

**PIPECAR** and **BOXCAR** are extremely easy to learn and use compared to other programs I've used that analyze and design culverts. The direct user interaction during the programs' analysis and design process speeds up the learning process. In contrast to similar programs that only receive data from an input file at the beginning of the program, **PIPECAR/BOXCAR** prompts the user for every parameter. The parameter's default value is concurrently displayed. This interaction greatly reduces the amount of time spent trouble-shooting problems that crash the program.

**PIPECAR** and **BOXCAR** were originally released in 1982 as part of a Federal Highway Administration project to develop standard designs for improved inlets. Since then, new features have been included. For instance, **PIPECAR** and **BOXCAR** now have the capability to handle the analysis and design of live loading in accordance with the American Association of State Highway and Transportation Officials (AASHTO) specifications as well as the American Railway Engineering Association (AREA) specifications.

New load conditions can also be calculated. For example, vertical and horizontal surcharge loads can be analyzed by **BOXCAR**; and the three-edge-bearing load condition (sometimes referred to as D-load design or indirect design) can be analyzed by **PIPECAR**.

Furthermore, the **PIPECAR** program now designs reinforcement for low head internal pressures (up to 50 ft.) for circular pipes. And it can design the reinforcement in the form of mats or elliptical cages, which it didn't do in the older versions.

The main differences between the programs are the basic parameter values the

Cont'd on page 26

## AT A GLANCE

### BOXCAR and PIPECAR

**Developer:** Simpson, Gumpertz and Heger Inc., 297 Broadway, Arlington, MA 02174.

**In Short:** **PIPE** Culvert Analysis and Reinforcing design (**PIPECAR**) and Box Culvert Analysis and Reinforcing design (**BOXCAR**) are programs designed to assist engineers in the structural analysis and reinforcing design of circular, elliptical and box-shaped culverts. **BOXCAR** analyzes and designs single-cell reinforced concrete box culverts up to 14 feet long and 14 feet high. **PIPECAR** analyzes and designs circular and elliptical reinforced concrete pipe. Both programs first compute loads on the structure, then apply the calculated load using an assumed pressure distribution. Next a structural analysis is done, with the reinforcement designed to carry the resulting moments and shears.

**Requires:** IBM PC, XT, AT compatible computer, MS-DOS 2.0+, 8087 80287 math coprocessor, 640K RAM.

**Price:** **BOXCAR** \$102.50 and **PIPECAR** \$105.00.

*Commerce*  
2/23/93  
*Attache* 5-2  
Winter Quarter 1992 pc-trans 25

## Budget Planning

Cont'd from page 25

The redeeming facet of the tools menu is the disk services option. This option allows the user to copy, move and delete selected files from any directory on the fixed or floppy disks. It can also display the contents of any specified file. This service option can be exceptionally nice if there is information in a file that is needed for use in the ROADS program.

## Performance

Using ROADS is easy and straightforward. The first step is simply entering and editing the data. The data are then processed, and the information needed for a particular report is calculated. The last step is printing the reports.

Two types of input data are required by ROADS. The first type is for one-time input. This information does not usually change on a daily basis. The information categories that comprise this type of data are:

- employee data
- equipment data (owned, rented or both)
- expense account codes
- inventory of roads and streets sections data
- material codes
- work category data.

ROADS has 120 common maintenance activities along with corresponding activity codes within the program. As an example, for gravel roads, some of the maintenance activities include dragging, grading, graveling, regrading and dust control. The program gives similar activities for patching and surfacing roads, drainage, traffic control and lighting, roadside vegetation control, and shoulder maintenance.

The second type of input data are those entered each day for a particular engineering project. Examples of this type of data include:

- daily work reports: materials used, labor hours, equipments used
- equipment repairs
- expenditures.

The program's menus smoothly guide the user through the steps of entering data and generating reports. For the most part, operating this program is self-explanatory.

The user's manual is simple to follow and makes the ROADS program easy to use. Even users who do not have much computer experience can easily operate this program.

To benefit from the program, department personnel must be committed to entering each day's data completely. Incomplete data input results in the failure of data processing and information reporting. For example, you cannot generate a report for January of Year 19XX if you have not input daily performance data for that period of time; the data processing step will not be carried out. To assist the user in confirming the validity and completeness of the data, ROADS contains two programs—Verify and Examine. These programs check for the completeness of the data entered; they do not catch incorrect data. Therefore, although the programs are helpful, they should not be relied upon completely.

## Reporting

Some cost analysis options provided by ROADS are:

- A complete cost summary of all categories for a designated time period (month, quarter, six months or a year).
- A cost summary based on defined categories such as equipment repair, equipment usage, utility operations, roadway material consumption, roadway maintenance activities, administrative overhead and garage overhead (the user cannot designate a time period in this report).
- A cost summary of labor, equipment, and materials used during a designated time period.

A report that compares garage and management overhead costs with road maintenance costs.

Other reporting options include:

- Daily work reports, showing the work done on each road section and the equipment used at each site.
- Road section reports, which list local road section numbers and mileage by road classification.
- Employee time and pay reports.

If a large database is being used, the user should be aware that a cost analysis can take up to several hours, and the designers of ROADS recommend that the user let it run overnight.

ROADS also has the ability to give listings of all data used in the program. Although the program has good reporting abilities, it does not maintain ledgers, balance sheets or payroll documents.

The ROADS program is a valuable managing tool that can help transportation departments monitor the operation and costs of road maintenance, which include garage and administrative overhead. Use of the program to produce cost estimates and analysis information regarding departmental costs for labor, materials and equipment will make budget planning much easier.

—Ming Ma and Michael D. Hughes  
Research Assistants  
Kansas Univ. Transportation Center

[Editor's note: HERPICC, developer of ROADS, offers some support to users of the program. This includes advice over the phone, a bi-monthly newsletter named *Keystrokes* and seminars conducted once a year. If you are using ROADS and are not receiving HERPICC's newsletter, you can get on their mailing list by calling 317/494-0315 (Indiana toll-free number 800/428-7639); or by faxing your name and address to 317/496-1176. PC-TRANS provides HERPICC with the names of those who purchase the program from them.]

## AT A GLANCE

### ROADS, Version 3.0

**Developer:** Highway Extension and Research Project for Indiana Counties and Cities (HERPICC) at Purdue University.

**In short:** ROADS is an engineering cost-oriented computer software program designed to aid in the daily management of road construction and road maintenance data and to generate pertinent reports. The user's manual is concise, and its self-explanatory menus make this package easy to learn and use.

**Requires:** 640K RAM, IBM-PC compatible, 20MB hard disk and a printer; 80286 microprocessor recommended; works with a monochrome monitor, but a 16-color monitor makes using the program easier.

**Price:** \$75.00 from PC-TRANS.



# \*Speed and safety enhanced in ROADS 4.0

Tommy Nantung, our software specialist and the programmer of ROADS versions 2 and 3, has been hard at work on the latest update of the program, ROADS 4.0. As in the past, Tommy's major concerns while producing the new version are improving processing speed and data safety.

The current and older versions of ROADS were programmed in the R-Basic database language. For the new version, Tommy has decided to use the FoxPro database program as the foundation. FoxPro has some advantages, which are detailed in the ROADS 4.0 features below.

ROADS 4.0 will use expanded memory more effectively than earlier programs, so that program execution will be significantly faster

on machines equipped with expanded memory. (See page 4 for information on installing and managing expanded memory.)

By directly using the computer's expanded memory, ROADS 4.0 won't be forced to read and write data to and from the hard drive as frequently. Processing data from RAM is much faster than reading from the drive, so all operations will speed up. ROADS 3.0 must access data from the hard drive frequently.

ROADS 4.0 will more efficiently index the databases. By using a new file indexing technology, the index file will be much smaller and can have multiple indexes. This feature will allow ROADS 4.0 to run cost analyses faster than earlier versions.

In ROADS 4.0, beginning/ending dates and months won't be required for producing reports.

ROADS 4.0 will not use separate directories for each month's data. Therefore, ROADS 4.0 will be able to prepare reports faster because the program will process the data file by file in each directory for each month only.

This feature also eliminates the danger of damaging the database, which can sometimes happen in ROADS 3.0 if there is a sudden power loss while running a ROADS 3.0 analysis. In ROADS 4.0, if there is a power loss, the computer will cancel the process without damaging the file.

By improving these three features in ROADS 4.0, the processing time for the various analyses that ROADS can perform will be decreased significantly. At the same time, the safety of all data used by the ROADS program will increase.

Tommy has tested some analyses on an early version of the new ROADS program. ROADS 4.0 should perform the calculations for Labor Cost in about 4.25 minutes. Compare that to the earlier versions, and you will be amazed:

ROADS 1.0	Over 6 HOURS
ROADS 2.1	about 2.5 HOURS
ROADS 3.0	about 1.5 HOURS

These tests were run on a Gateway 2000, 80386 system running at 25 MHz, with 4MB of RAM and the DOS 5.0 expanded memory manager. Tommy hopes that the entire monthly analysis will take no more than 30 minutes on a similar computer equipped with expanded memory.

## HERPICC T<sup>2</sup> Program

HERPICC, The Highway Extension and Research Project for Indiana Counties and Cities, is the Indiana Technology Transfer Center. It is part of a nationwide effort established by the Federal Highway Administration (FHWA). The purpose of the T<sup>2</sup> program is to translate into understandable terms the latest, state-of-the-art road, highway and bridge technologies to local agency personnel.

HERPICC is funded by FHWA, the local agency distribution of the Motor Vehicle Highway Account and Purdue University.

The *Pothole Gazette* is published bi-monthly by HERPICC at Purdue University. It is distributed free to county, city and town road and street personnel, and to others who have transportation responsibilities.

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Resource Center Secretary	Lynn Stocksick
Software Specialist	Tommy Nantung

# KAC KANSAS ASSOCIATION OF COUNTIES

"Service to County Government"

1275 S.W. Topeka Blvd.  
Topeka, Kansas 66612-1852  
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FAX 913 333-4830

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**Executive Director**  
John E. Toibert, CAF

February 23, 1993

To: Senator Alicia Salisbury, Chairperson  
Members Senate Commerce Committee

From: Marjory Scheufler, Edwards County Commissioner

Re: SB 86 An act requiring project cost estimates on  
county roads and bridges

I come before you today to oppose SB 86. I am a member of the governing board of the Kansas Association of Counties and we have a convention approved policy which states we will oppose the efforts to impose new more restrictive accounting procedures and project cost estimates for counties to follow when involved in highway construction and renovation projects.

This bill would require that not less than 30 days before beginning to construct, surface, or repair any road with employees of the county, the cost of which exceeds \$10,000, the approved plans must be filed in the County Clerk's office for public inspection. It would also require that costs of labor, materials, and hourly equipment costs be filed at the end of each month and a final statement when the work is completed. The county engineer's statements of cost shall conform to generally accepted accounting principles as promulgated by the national committee on governmental accounting and the American institute of certified public accountants and adopted by rules and regulations of the municipal accounting board. The same would be true for bridges.

The county engineer in a medium sized county estimates that this would affect virtually every maintenance operation in the county. The added paper work would be tremendous. At least two additional staff persons would need to be employed who are knowledgeable in the accounting procedures mentioned and who would also need an engineering background. This would add up to another mandated cost that does not add to the efficiency or timeliness of the project.

In small counties such as Edwards County, these requirements would be very difficult to meet. We oppose SB 86 and respectfully request that no additional financial burdens be placed upon counties.

*Commerce*  
*2/23/93*

*Attachment 6-1*



# Kansas County Commissioners Association

1275 S.W. Topeka Blvd.  
Topeka, Kansas 66612  
(913) 233-2271

February 23, 1993

To: Senator Alicia Salisbury, Chairperson  
Members Senate Commerce Committee

From: Dudley Feuerborn, Anderson County Commissioner

Subject: SB-86

The Board of County Commissioners in Anderson County is opposed to SB-86 and the additional requirements that would be placed on counties to construct or maintain their county roads and bridges. Small counties as well as large counties and the State of Kansas are operating under severe fiscal constraints. The additional restrictions outlined in SB 86 only add to the financial burden and do nothing to alleviate problems or help the efficiency in the public works department.

Many small counties do not have a county engineer and certainly do not have people in that department with an accounting background. If an emergency should occur which does many times with flood situations, there is no provision to address such emergencies. One cannot wait 30 days to get the school bus down the road.

Anderson County as well as the Kansas County Commissioners Association opposes SB-86.

*Commerce*  
*2/23/93*

*Attachment 7*

Karen McCulloh  
Wilton B. Thomas  
Jim Williams

## RILEY COUNTY PUBLIC WORKS DEPARTMENT

RILEY COUNTY OFFICE BUILDING • 110 COURTHOUSE PLAZA  
MANHATTAN, KANSAS • 66502-0112 • PHONE (913) 537-6330 • FAX (913) 537-6331

**DAN R. HARDEN**  
COUNTY ENGINEER  
& DIRECTOR OF  
PUBLIC WORKS  
Registered Professional  
Engineer No. 7412

TESTIMONY OF DAN HARDEN  
BEFORE KANSAS SENATE  
COMMERCE COMMITTEE  
FEBRUARY 23, 1993

- **EMERGENCY MANAGEMENT**  
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- **SOLID WASTE BILLING**  
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- **WATER DISTRICTS**  
Hunter's Island  
Tatarax  
University Park  
(913) 537-6330

My name is Dan Harden. I am the Riley County Public Works Director and the chairman of the legislative committee of the Kansas County Highway Officials Association, a part of the Kansas Association of Counties. I wish to convey the membership's thoughts about Senate Bill 86.

The bill addresses the issue of costing accounting road improvements greater than \$10,000. Cost accounting is a good management practice and several counties currently use it. Cost accounting is also a costly undertaking. For this reason it is not done in each Kansas County. It is done in those counties where the local citizens are concerned about costs to the point the local county commission feels it is important enough to implement cost accounting procedures. Thus this decision is made on the local level, by local people who know best what their local constituents want. It is a decision best made in the courthouse and not the state house. It is my opinion this legislation is ill advised as most small Kansas counties do not have, on staff, the accounting expertise called for in the bill. Finally it will increase project overhead costs by the cost of accounting.

If the Commerce Committee is convinced Senate Bill 86 is good public policy for counties and since county road work is such a small part of the overall public expenditure situation, I suggest Senate Bill 86 is then also good public policy to govern the following:

- a. Kansas Department of Health and Environment labs should be required to do similar cost accounting so the public can verify whether the Kansas Department of Health and Environment or private sector lab contractors could provide lab work to the public for less cost.
- b. road and bridge maintenance done by Kansas Department of Transportation and Kansas Turnpike Authority personnel.
- c. all non contracted construction and maintenance done by employees of Regents institutions.

*Commerce*  
*2/23/93*

*Attachment 8-1*



Page 2

Testimony of Dan Harden Before Kansas Senate  
February 23, 1993

- d. all public infrastructure construction and maintenance done by employees of Kansas cities.
- e. all public infrastructure construction and maintenance done by employees of Kansas school boards.
- f. all public infrastructure construction and maintenance done by employees of Kansas townships.
- g. all public infrastructure construction and maintenance done by Kansas utility benefit districts.

Kansas county commissions are capable of making good decisions if the commissions are allowed to do so. I ask you to continue to allow Kansas counties the freedom to make local decisions where they are best made, in the county courthouse.

sb86

*Commerce*  
*2/23/93*

*Attachment 8-2*



## HARVEY COUNTY, KANSAS

### ADMINISTRATION DEPARTMENT

COURTHOUSE  
P.O. BOX 687  
NEWTON, KANSAS 67114-0687

316-284-6806

February 1, 1993


State Senator Christine Downey  
State Capitol  
Topeka, KS 66612

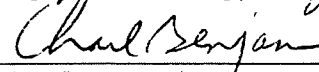
Dear Senator Downey:

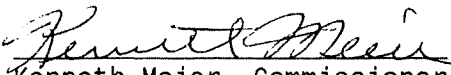
Thank you for asking for our input on the Senate Bill being proposed by Senator Vidricksen requiring the filing of project cost estimates and repairs to County roads and bridges. First of all we find the language of the bill very confusing and we wonder as to the actual range of estimated costs of projects that the bill covers. Secondly, we feel that the reporting requirement specified in the proposed legislation would add such a burden of detailed reporting that we would probably have to have a full time employee in the Road and Bridge Department with sufficient accounting skills to comply with the provisions of the legislation. Thirdly, we are also concerned that if reporting requirements begin with projects of \$10,000 it would cause unnecessary delays in responding to emergencies.

Our position is consistent with the position of the Kansas Association of Counties. We have enclosed a copy of the relevant language on this matter from the 1993 KAC County Platform. Please let us know if you would like further input on this or any other legislation impacting counties.

Sincerely,

  
Eugene Wendling, Chairman

  
Charles Benjamin, Commissioner

  
Kenneth Meier, Commissioner

*Commerce*  
*2/23/93*

*Attachment 9-1*

countywide sales tax appears skewed to the advantage of counties; and also that many counties collect property taxes from city residents for rural services, but fund few services inside city limits. Cities are allowed an additional 1% sales tax which can be used totally by and for the city.

**Recommendation** — Cities do receive extensive services and benefits from county tax dollars because a large share of county services are provided county wide. The Association would strongly oppose any efforts by the cities to expand their share of county tax dollars.

#### *Prompt Payment*

**Background/Rationale** — Legislation was introduced in the 1991 session by the Kansas contractors that requires local governments to pay their contractor bills on a prompt pay schedule set up by the contractors. If the local government fails to pay according to that schedule, an interest penalty is assessed.

**Recommendation** — Documentation shows that local governments are paying their bills promptly. It is, therefore, unclear as to why this legislation is needed. The Kansas Association of Counties opposes legislation that would force the payment of contractors' bills in any manner other than the standard bill paying cycle of the county.

#### *Filing of Project Cost Estimates*

**Background/Rationale** — Legislation has been proposed by the Kansas Contractors Association that would impose new requirements regarding accounting procedures and project cost estimates for counties to follow when involved in highway construction and renovation projects.

**Recommendation** — The Kansas Association of Counties opposed this legislation in the 1992 session. We will continue to oppose the Kansas Contractors Association in their efforts to have local governments follow these unnecessary requirements as they are restrictive and costly, and in some cases, impossible with which to comply.

## HIGHWAYS

*Comment  
2/23/93  
Attachment  
9-2*

#### *Highway Funding*

**Background/Rationale** — The 1989 legislature passed the most comprehensive highway program in Kansas history. The program is funded with increases in the gas tax, sales tax, and vehicle registration fees. The legislature has previously considered diverting some of the highway program funding for other purposes. It appears that such proposals might be considered again in 1993.

**Recommendation** — The Kansas Association of Counties opposes any diversion of highway program revenues for purposes other than those contained in the original legislation.

## CRIMINAL JUSTICE SYSTEM

#### *Juvenile Detention*

**Background/Rationale** — State law prohibits juvenile offenders and children in need of care from being detained in jail. For children in need of care the compliance date was January 1, 1991. For juvenile offenders, the compliance date is January 1, 1993.

The legislation requires that a juvenile detention hearing be held within 48 hours after the juvenile is taken into custody. Also, there must be total separation of the juvenile from adult facilities so there is no contact between the juvenile and adult offenders. This state law was written in response to the federal mandate to the states that all juveniles be removed from adult jails.

The Advisory Commission on Juvenile Offender Programs made a recommendation to the Secretary of Social and Rehabilitation Services that the state fund 90% of the construction costs of the juvenile detention facilities, with counties providing the remaining 10%. That proposal was ultimately adopted.

**Recommendation** — Because the mandate is a federal mandate to state governments, the Kansas Association of Counties recommends that the state fully fund the construction costs of any proposed facilities. The Association would further add that it may be prudent

**DEPARTMENT OF PUBLIC WORKS  
FORD COUNTY GOVERNMENT CENTER**

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227-4520

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Landfill  
227-4526

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227-4525

DODGE CITY, KANSAS

67801

Public Buildings  
227-4520

FAX 316-227-4717

February 22, 1993

Senator Salisbury  
Senate Commerce Committee  
State Capitol  
Topeka, Kansas 66612

RE: Senate Bill No. 86

Dear Senator Salisbury:

It has recently been brought to my attention that Senate Bill No. 86 is being considered by the Kansas Legislature. This Bill would have an impact on K.S.A. 68-520 and 68-1116 dealing with county road and bridge departments and their ability to accomplish maintenance work. As I understand it, this bill would require county road and bridge departments to develop plans, specifications and cost estimates for any work accomplished with county forces on roadways or drainage structures in which the total cost exceeds \$10,000. These estimates would have to be filed with the County Clerk thirty (30) days prior to the commencement of work. Additionally, progress estimates would have to be filed on a monthly basis along with a final statement of project costs.

I have several problems with this bill which are as follows. First, prior to the passage of this bill, research needs to be done to ascertain whether or not the required plans, specifications and cost estimates would have to be certified by a Registered Professional Engineer. If this would in fact be a requirement, the seventy-six (76) counties that do not employ Registered Engineers would, in effect, have to hire those Engineers to prepare the required documents. Secondly, many of the smaller counties in this state do not employ the type of individual in-house that is capable of preparing these documents. Thus, this legislation would require that these counties either employ additional people or hire consultants to get these documents prepared. Lastly, I question the basic need for this legislation. It seems that by requiring this documentation, all we are accomplishing is additional paper work for county personnel without added benefits.

*Commerce*  
*2/23/93*

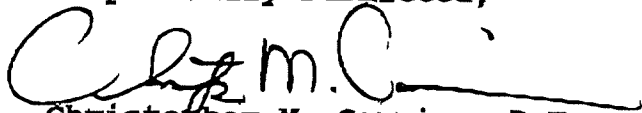
*Attachment 10-1*

Page 2 of 2  
Senate Bill No. 186

As far as I am concerned, this legislation amounts to another state mandate without the corresponding state funding. If the long term goal of this legislation is to develop public records to document the county's costs of doing various road and bridge work, I feel that that documentation already exists. In many counties of the state, particularly where Registered Professional Engineers are employed as County Engineers, job cost accounting systems already exist. We, in Ford County, develop a proposed road and bridge program at the beginning of each year and document our costs throughout the entire year. This information is available to any citizen or government agency upon request.

In conclusion, I would request that you not support Senate Bill No. 86 for the above reasons. If you need any additional help or information, please feel free to contact me at (316) 227-4520.

Respectfully Submitted,



Christopher M. Carrier, P.E.  
Director of Public Works/County Engineer

CMC/lg

Commerce  
2/23/93  
Attachment 10-2