

SESSION OF 2008

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR SENATE BILL NO. 485**

As Amended by House Committee of the Whole

Brief*

Sub. for SB 485, as amended, would establish the Alternative Project Delivery Building Construction Procurement acts for counties and for school districts. The bill would permit counties and school districts to use an alternative project delivery program that allows either a construction management at-risk or a building design-build procurement process to be used for certain projects. The bill also would allow counties and school districts to award contracts for design and construction based on a best value approach to be used in the selection process. The bill would authorize counties and school districts to determine if the alternative procurement process is appropriate and to approve contracts for such projects. The bill would permit a technical proposal to contain certain limited references to specific elements of the cost.

Background

Conferees generally supporting SB 485 as introduced included representatives from the Kansas Contractors Association, Associated General Contractors of Kansas, the Builders' Association, and the Johnson County Commission. Written testimony in support of the bill was submitted by the Kansas Association of Counties, Walton Construction, and Turner Construction.

The Senate Committee recommended a substitute bill that includes a number of amendments requested by various

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

conferees that modify the original bill to adapt state law on alternative procurement procedures to local government procedures. The amendments also increase from \$10,000 to \$25,000 for the amount required for a public bidding of contracts, and modified current law to add highway, road, dam, turnpike or related structures or stand-alone parking lot projects to the current listing of projects that includes courthouse, jail, county building and bridge that must be publicly bid if the project exceeds the dollar threshold.

The Senate Committee of the Whole amended the bill to provide that a technical proposal may contain limited references to specific elements of the cost.

The House Committee of the Whole added school districts to the bill and new sections that pertain only to school districts.

The fiscal note indicates the bill would have no impact.