

SENATE BILL No. 436

By Committee on Local Government, Transparency and Ethics

2-2

1 AN ACT concerning counties; relating to public bids for construction
2 contracts; increasing the cost threshold for when the public bidding
3 process shall be used to award such contracts; amending K.S.A. 19-214
4 and repealing the existing section.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 19-214 is hereby amended to read as follows: 19-
8 214. (a) Except as provided in subsection (b); *and* in K.S.A. 19-216a, and
9 amendments thereto, all contracts for the expenditure of county moneys
10 for the construction of any courthouse, jail or other county building, or the
11 construction of any bridge, highway, road, dam, turnpike or related
12 structures or stand-alone parking lots in excess of \$25,000\$100,000, shall
13 be awarded, on a public letting, to the lowest and best bid. The person,
14 firm or corporation to whom the contract may be awarded shall give and
15 file with the board of county commissioners a good and sufficient surety
16 bond by a surety company authorized to do business in the state of Kansas,
17 to be approved by the county attorney or county counselor, in the amount
18 of the contract, and conditioned for the faithful performance of the
19 contract.

20 (b) The provisions of subsection (a) shall not apply: (1) To the
21 expenditure of county funds for professional services; (2) to the provisions
22 of K.S.A. 68-521, and amendments thereto; (3) to the purchase of
23 contracts of insurance; or (4) to the repair of any courthouse, jail or other
24 county building or the repair or replacement of any such building's
25 equipment when an emergency based upon public health or safety is
26 declared by the board of county commissioners. Such emergency shall be
27 defined as an occurrence of severe damage to a building or its equipment
28 resulting from any natural or man-made cause, including fire, flood,
29 earthquake, wind, storm, explosion, riot, terrorism or hostile military or
30 paramilitary action, or events of similar nature or character. Such damage
31 must be so severe it prevents the building or equipment from being used
32 for its intended function. Construction of a replacement building remains
33 subject to the provisions of subsection (a).

34 Sec. 2. K.S.A. 19-214 is hereby repealed.

35 Sec. 3. This act shall take effect and be in force from and after its
36 publication in the statute book.