



**KANSAS ASSOCIATION
OF SCHOOL BOARDS**

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Oral, Opponent Testimony before the

Senate Education Committee

on

SB 148 Amending requirements for school district board requests for proposals for construction or repair projects.

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Kansas Association of School Boards

February 19, 2019

Madam Chairwoman and Members of the Committee,

Thank you for the opportunity to appear as an opponent on **SB 148**, Amending requirements for school district board requests for proposals for construction or repair projects.

As we read SB 148, it would limit school boards' ability to design and then request for proposal (RFP) specific construction materials and methods if they are proprietary technologies. In addition, it would limit a school board's ability to specify non-proprietary materials or construction methods if they do not receive at least three bids on the RFP.

We rise in opposition to this legislation as drafted for the following reasons:

- 1) A significant majority of construction projects that are undertaken by districts are for the purposes of remodeling or expanding existing facilities. Efforts to ensure that building design and features match for both aesthetic purpose as well as structural concerns may require districts to be prescriptive in their designs that could come in conflict with this new rule.
- 2) Many projects currently under discussion for investment in our communities are related to and centered around student safety. Choosing particular technology that maybe proprietary can be related to specific district needs or desires for safety improvements whether they be related to securing buildings, reinforced structures for significant weather events, or technological improvements related to safe and secure schools.
- 3) While schools in our more populous or urban areas of the state may have confidence in the ability to solicit and receive three qualifying and competitive bids for projects, a large majority of our members are not as lucky. Rural limitations of available qualified bidders may make it impossible for some districts to meet the minimum threshold of three as stated in Section 1, Sub-Section (b)/
- 4) School boards make every effort to ensure that the construction projects they approve first and foremost are in the best interest of student learning and safety and secondly in the best interest of the

community that they are elected to serve. We believe the decisions on local construction projects in communities should be left to the locally elected officials to review and authorize and not be limited by general policies of the Legislature.

For these reasons, we are opposed to SB 148 and I am happy to stand for questions at the appropriate time.