SENATE BILL No. 148

By Committee on Education

AN ACT concerning public construction contracts; relating to fairness in requests for proposals for school district facility construction or repair.

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

Section 1. (a) A request for proposal by a board of education of a school district for a facility construction, reconstruction, remodeling or repair, or for materials, goods or wares required for the constructing, reconstructing, remodeling or repairing, may specify a particular product, or a particular installation method for a product, provided that the request for proposal does not require:

(1) A proprietary product or proprietary installation method; or

(2) Approval by an architect or engineering consultant, school district employee or the board that a proposed product or the installation method for a product constitutes the equivalent of a proprietary product or a proprietary installation method.

(b) If a particular product, or a particular installation method for a product, is specified in a request for proposal advertised by a board of education of a school district, a bid shall not be accepted until the product or the installation method specified, or a product or installation method recognized by the respective industry as substantially similar, has been proposed by at least three bidders.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.