

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2336** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 3, following line 33, by inserting:

"Sec. 2. K.S.A. 75-1253 is hereby amended to read as follows: 75-1253. (a) (1) Whenever it becomes necessary in the judgment of the secretary of administration or in any case when the ~~total~~ construction cost of a project for the construction of a building or for major repairs or improvements to a building for a state agency is expected to exceed ~~\$1,000,000~~ the amount specified in paragraph (2), the secretary of administration shall convene a negotiating committee. The state building advisory commission shall prepare a list of at least three ~~and~~ but not more than five firms ~~which~~ that are, in the opinion of the state building advisory commission, qualified to serve as project architect, engineer or land surveyor for the project. Such list shall be submitted to the negotiating committee, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) The secretary of administration may combine two or more separate projects for the

construction of buildings or for major repairs or improvements to buildings for state agencies, for the purpose of procuring architectural, engineering or land surveying services for all such projects from a single firm. In each case, the combined projects shall be construed to be a single project for all purposes under the provisions of K.S.A. 75-1250 through 75-1267, and amendments thereto.

(c) (1) This section shall not apply to any repetitive project with a standard plan that was originally designed by the secretary of administration or an agency architect pursuant to K.S.A. 75-1254(a)(2) and (3), and amendments thereto. In such a case, the secretary of administration or the agency architect may provide architectural services for the repetitive project.

(2) "Repetitive project" means a project ~~which~~ that uses the same standard design as was used for a project constructed previously, including, but not limited to, sub-area shops and salt domes of the department of transportation and showers and toilet buildings of the Kansas department of wildlife, and parks ~~and tourism~~. The plans for the project may be modified as required for current codes, operational needs or cost control. The total floor area of the project may be increased by an area of not more than 25% of the floor area of the originally constructed project, except that not more than 25% of the linear feet of the exterior and interior walls may be moved for such increase. A project shall not be considered to be repetitive if it has been over four years between the substantial completion of the last project using the design plans and the appropriation of funds for the proposed project.

Sec. 3. K.S.A. 75-5804 is hereby amended to read as follows: 75-5804. (a) (1) Whenever it becomes necessary in the judgment of the agency head of a state agency for which a project is proposed and, in any case where the ~~total~~ construction cost of such a proposed project is expected to exceed ~~\$500,000~~ the amount specified in paragraph (2), the agency head shall

convene a negotiating committee. Except as otherwise provided in subsection (b), the agency head shall submit the list of at least three ~~and~~ but not more than five of the most highly qualified firms to the negotiating committee so convened, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) Whenever a negotiating committee is convened under this section for a proposed project requiring engineering or land surveying services ~~which~~ that concerns the construction of any building or facility or any major repairs or improvements to any building or facility, including but not limited, to any heating, cooling or power facility, for a state agency, the agency head for the state agency shall notify the state building advisory commission of the project and shall request a list of firms qualified to provide the engineering or land surveying services for the proposed project. Upon receipt of any such request the state building advisory commission shall evaluate the current statements of qualifications and performance data on file, together with those statements that may be submitted by other firms regarding the proposed project and other information developed and available to the state building advisory commission. The commission shall prepare a list of at least three ~~and~~ but not more than five firms ~~which~~ that, in the opinion of the state building advisory commission, are qualified to furnish the engineering or land surveying services for the proposed project. Each such list shall be submitted to the negotiating committee

so convened without any recommendation of preference or other recommendation.";

Also on page 3, in line 34, by striking "is" and inserting ", 75-1253 and 75-5804 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the surplus" and inserting "governmental"; also in line 1, by striking "and public airport authority act"; in line 2, after "to" by inserting "public construction and improvement projects; increasing the"; also in line 2, by striking "; providing for increased bonding authority" and inserting "for public airport authorities for projects"; in line 6, after the semicolon by inserting "increasing the cost threshold for mandatory convening of a negotiating committee to obtain professional services for state construction projects; providing for an annual increase in such cost threshold based on the consumer price index; changing the measure of such cost threshold from "total project cost" to "construction cost";"; also in line 6, after "27-334" by inserting ", 75-1253 and 75-5804"; in line 7, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House