

SENATE BILL No. 148

By Committee on Education

2-11

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

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

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

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

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

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

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