

MINUTES

JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION

August 20, 2015

Room 68-W, Statehouse, Conference Call

Members Present

Representative Steve Brunk, Chairperson
Senator Laura Kelly
Senator Larry Powell
Representative John Alcala
Representative J. Steve Alford
Representative Mark Hutton
Representative Adam Lusker

Members Absent

Senator Kay Wolf, Vice-chairperson
Senator Marci Francisco
Senator Forest Knox

Staff Present

Shirley Morrow, Kansas Legislative Research Department
Mark Dapp, Kansas Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Kyle Hamilton, Office of Revisor of Statutes
Eileen Ma, Office of Revisor of Statutes

The meeting was called to order at 9:05 a.m. by Chairperson Brunk, who welcomed Bobby Kosmala, Lease Administrator, Office of Facilities and Procurement, Department of Administration (DofA). Mr. Kosmala presented two leases.

He stated the Kansas Department of Revenue (KDOR) seeks a new lease for its Driver's License Examination State office in Olathe, Kansas ([Attachment 1](#)). Mr. Kosmala stated KDOR was notified on February 16, 2015, the agency needed to vacate the premises of its current lease effective July 31, 2015, due to the impending closure of the Great Mall of the Great Plains. The proposed lease is located at 135th and Mur Len Road in Olathe. The proposed lease is for ten years, effective September 1, 2015.

Mr. Kosmala was asked by the Committee what provisions in the current lease allowed for the landlord to walk away from the lease. Answering the question, Bob Challquist, Attorney

for KDOR, explained, in the agency's opinion, this action is a breach of the contract and the KDOR will be seeking damages.

Representative Hutton made the motion to recommend favorably the proposed lease. Seconded by Representative Alford. The motion carried, unanimously.

Mr. Kosmala presented a proposed lease for the Kansas Department of Health and Environment (KDHE) in Chanute, Kansas ([Attachment 2](#)). Mr. Kosmala stated the Department for Children and Families was granted authority in 2015 House Sub. for Senate Bill 112 to sell the building located at 1500 West 7th Street, Chanute, which is currently occupied, in part, by KDHE. He noted the proposed lease is for 5,547 square feet for a term of 10 years.

Mr. Kosmala was asked by the Committee for the specific effective dates of the proposed lease, as the information provided to the Committee appears to encompass 11 years. Mr. Kosmala stated the summary information provided to the Committee was incorrect and the term of the lease is for ten years. The Committee noted concern about the possibility of the sale of the building located at 1500 West 7th Street not being completed before the proposed lease is approved.

Representative Lusker made the motion, seconded by Representative Hutton, to recommend favorably the proposed lease. The motion carried, unanimously.

Representative Hutton asked for clarification about an item presented to the Committee detailing change orders requested for less than \$125,000, specifically in reference to a change order from McPherson Contractors, Inc., requesting recovery of 13 calendar days lost due to adverse weather conditions. In response to the question, a staff member from the Kansas Legislative Research Department (KLRD) stated the agency will be contacted to provide further information to the Committee on this item.

The Chairperson reminded the Committee members to direct any questions they may have to Shirley Morrow, KLRD, so responses could be provided to the Committee at a future meeting.

The meeting adjourned at 9:44 a.m. Future meetings will be scheduled once the Legislative Coordinating Council approves the number of interim meeting days for the Committee.

Prepared by Mark Dapp
Edited by Shirley D. Morrow

Approved by the Committee on:

October 19, 2015
(Date)