



**Written Testimony of Scott Jones  
On Behalf of KCP&L  
Before the Senate Commerce Committee  
Oppose SB 107  
February 17, 2015**

Chairman Lynn and members of the committee, thank you for the opportunity to submit brief testimony on this proposed bill. KCP&L opposes SB 107 on the premise that this bill weakens public policy that forms the foundation of transparency in government spending. The bill seeks to change state policy to allow public money budgeted by public bodies to be spent without a transparent bidding process. Schools, cities, counties and other public entities would be given the authority to make no-bid deals with specific categories of contractors without the opportunity for companies to compete.

This bill seeks to undo the public policy originally put in place to allow for transparency in how public business is conducted and how public funds are used. The purpose of requiring public bodies to post business opportunities and contracts is twofold:

- To ensure equal access and a fair process for everyone; and
- To ensure the public body receives the best or most financially attractive deal possible on behalf of its constituents.

There are several problems with the proposed legislation:

- It will prevent equal access for business entities. Additionally, businesses with existing relationships with the public body will be better positioned to know about potential opportunities and obtain contracts.
- It will favor incumbent businesses and larger corporations and put diverse suppliers and newer companies at a disadvantage.
- While the bill focuses on the energy sector, it will open the door for other industries which have performance-based products and services to secure public contracts without the benefit of a transparent bidding process. If state policy



allows this exception for one industry, it will not be able to prevent it for other industries, resulting in an ever increasing amount of public spending conducted without benefit of a transparent public process.

- While performance contracts predicated on no capital requirements, costs savings and built-in financing may result in savings for the contracting public body, without transparent and public bidding the public body cannot be assured it has obtained the best deal.
- Without a transparent and competitive bidding process there is less accountability for ultimate performance and cost savings.

We oppose this bill based on the simple fact that it undermines long-standing state policy ensuring the transparency in public contracting.