Approved: 03-30-2009
Date

MINUTES OF THE HOUSE EDUCATION BUDGET COMMITTEE

The meeting was called to order by Chairman Joe McLeland at 3:30 p.m. on March 17, 2009, in Room 531-N of the Capitol.

All members were present except:
Representative Terrie Huntington- excused
Representative Harold Lane- excused
Representative Gene Rardin- excused

Committee staff present:
Theresa Kiernan, Office of the Revisor of Statutes
Reagan Cussimanio, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Dee Heideman, Committee Assistant

Conferees appearing before the Committee:
None

Others attending:
See attached list.

SB 9 - State educational institutions; capital improvements totally financed with non-state moneys.

Sharon Wenger, from Kansas Legislative Research explained the bill. (Attachment 1)

Chairman McLeland stated he preferred the original version of the bill because it was easier to understand. He then made a subsititute motion to go back to the original language of the bill. Representative Carlson seconded the motion. Representative Feuerborn opposed Representative McLeland's motion because he liked the amended version of the bill. When the chair called for a vote, the motion failed on a 3 to 2 voice vote.

Representative Aurand made a motion for an amendment to change the effective date from the statute book to the Kansas Register and also on page 3, line 16, added an expiration date of June 30, 2012. Representative Craft seconded the motion and it carried on a unanimous voice vote.

Representative Aurand then moved the committee pass out **SB 9** as amended. It was seconded by Representative Craft. Chairman McLeland then called for a vote, and it was approved on a voice vote and with show of hands.

The next meeting is scheduled for March 18, 2009.

The meeting was adjourned at 4:20 p.m.

GUEST SIGN-UP SHEET
HOUSE EDUCATION BUDGET COMMITTEE
March 17, 2009
3:30 P.M. 531-N

NAME	AFFILIATION
Leigh Keck	Hein Law Firm
Dodie Wellshear	USA/Kansas
Gary George	Olathe School Dist.
Gary Hibbs	~~DOB~~/DFM
Val DeFever	SQE
Whitney Damron	GKBamm : Co.
Mark Tallman	KASB

Senate Bill # 9 Comparison
February 17, 2009

Senate Bill #9 is focused on creating efficiencies for state educational institutions in the capital improvement processes for projects that use non-state moneys. The bill utilizes the text from existing statutes as the foundation for establishing the processes to be utilized in architect/engineer selection, competitive bidding and CM-at-Risk methods of construction contracting. This bill proposes to streamline existing processes to be used for non-state funded projects. The following comments note the differences between the existing and proposed processes, and highlight the improved efficiencies that would result with the passing of Senate Bill #9.

Existing (E) - The existing process utilizes the State Building Advisory Commission (SBAC) to develop a short list of architects or engineers to be interviewed for a project. The SBAC also reviews requests from state educational institutions to use the CM-at-Risk process, and develops the shortlist of CM-at-Risk contractors to be interviewed. This committee only meets once a month, assuming a quorum can attend.
Proposed (P) - The proposed bill establishes a five-member Procurement Committee (PC) that will perform the same selection and review process but this committee will meet within two weeks of the submittal of documents for review and selection. This will result in a time-savings of two weeks minimum.

E - The advertising of the project is done through the Kansas Register. The ad is due by noon on Wednesday and is published and released by Thursday of the following week. This step is used once during the A/E and competitive bid processes and is used three times during the CM-at-Risk process.
P - The proposed bill also allows institutions to post the ad on the local campus web site. The ad is posted immediately, saving a minimum of one week each time the process is utilized.

E - For the CM-at-Risk process, the agency submits a request to the SBAC for approval to use the state's CM-at-Risk process. An ad is posted in the Kansas Register for30 days prior to a public hearing that is to be held by the SBAC, at which time the SBAC will act on the request to use the CM-at-Risk process. It is worth noting that there have been very few or no public attendees at these hearings to comment on the proposed use of this process.
P – The proposed bill indicates that an ad will be placed in the Kansas Register at least 15 days prior to the public hearing, and allows the ad to be posted on the institution's web site immediately. Time savings for this step is two weeks minimum.

E – For the second step of the existing CM-at-Risk process, the project is once again advertised in the Kansas Register for 30 days, inviting contractors interested in the project to submit their qualifications. The SBAC meets and selects three to five firms to be interviewed.
P – The proposed bill allows the ad to be place on the Institution's web immediately and shortens the timeframe to 15 days. The PC meets and selects three to five firms. Time savings for this step is two weeks minimum.

E – For the third phase of the CM-at-Risk process, the project is advertised in the Kansas Register for another 30 days, inviting the shortlisted firms to submit a written RFP in advance of the interview.

P - The proposed bill allows the ad to be submitted on the institution's web site immediately and will be posted for only 15 days. The PC acts on the request. Time savings for this step is a two weeks minimum.

E – For the Architect/Engineer Selection process, the project is advertised in the Kansas Register for 30 days. The SBAC reviews the submittals and provides a shortlist of consultants for interview by the negotiating committee. From the initiating of the advertisement to completion of hiring the consultant takes approximately 12 weeks.
P – The ad will be posted on the institution's web site. The procurement committee will review submittals and develop a shortlist of consultants to be interviewed. The negotiating committee will conduct interviews and select the most qualified firm. The proposed process is anticipated to take 8 weeks, resulting in a savings of 4 weeks minimum.