

## MINUTES

### JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION

January 27, 2009  
Room 545-N—Statehouse

#### Members Present

Senator Dwayne Umbarger, Chairperson  
Representative Joe Humerickhouse, Vice-Chairperson  
Senator Pat Apple  
Senator Greta Goodwin  
Senator Laura Kelly  
Senator Stephen Morris  
Representative Bill Feuerborn  
Representative Bob Grant  
Representative Jo Ann Pottorff

#### Member Absent

Representative Steve Brunk

#### Staff Present

Audrey Dunkel, Kansas Legislative Research Department  
Aaron Klaassen, Kansas Legislative Research Department  
Cody Gorges, Kansas Legislative Research Department  
Jonathan Tang, Kansas Legislative Research Department  
Mike Corrigan, Office of the Revisor of Statutes  
Gary Deeter, Committee Assistant

#### Conferees

Richard Gaito, Deputy Director, Division of Facilities Management, Kansas  
Department of Administration  
Marilyn Jacobson, Director, Division of Facilities Management, Kansas Department  
of Administration  
Robert Blecha, Director, Kansas Bureau of Investigation  
David Hutchings, Special Agent, Kansas Bureau of Investigation  
Dwain Worley, Forensic Scientist, Kansas Bureau of Investigation  
Bill Laurie, MWL, Consultants in Public Facilities

Dave Emig, Emig and Associates, Architects, Emporia  
Russell McElroy, MWL, Consultants in Public Facilities

## Others Attending

See attached list.

The meeting was called to order by Chairperson Dwayne Umbarger.

Chairperson Umbarger requested that members introduce themselves. He then opened the meeting for election of officers. *Representative Pottorff, nominated by Representative Grant and seconded by Senator Kelly, was unanimously elected as Chairperson for CY 2009.*

*Senator Kelly nominated Senator Umbarger as Vice-Chairperson; the nomination was seconded by Representative Grant. Senator Umbarger was unanimously accepted as Vice-Chairperson for CY 2009.*

Chairperson Pottorff welcomed Richard Gaito, Deputy Director, Division of Facilities Management (DFM), Kansas Department of Administration, who reviewed the leasing process and new programs implemented during the past year. He said that the new system is automated to notify agencies by e-mail in a timely manner: a lease greater than 10,000 square feet, 24 months before the lease expires; less than 5000 square feet, 12 months before expiration. He explained that a previous DFM requirement that an agency place a large advertisement requesting bids, because of its expense, was modified; further, landlords often do not see the advertisements. Therefore a new approach has been instituted. A smaller advertisement directs a prospective bidder to the DFM website and invites bidders to register to receive e-mail notifications. Currently 165 bidders are registered.

Mr. Gaito referred to the Leasing Handbook, which outlines steps an agency must follow to complete the lease process; it addresses such topics as lead time in requesting a lease, space standards, and market range for leases. Answering a question, Mr. Gaito replied that the 250-square-foot-per-FTE requirement is based on office space; however, other factors allow a lease to exceed those parameters, such as a laboratory, need for storage space, or use of hearing rooms. A member suggested that the lease form reflect the difference between office space and other agency needs. To another question Mr. Gaito stated that the DFM goal is to bring lease agreements to the Committee at least six months ahead of the lease expiration.

Mr. Gaito presented two proposed lease agreements from the Kansas Department of Revenue (Attachment 1). He commented that the original intent to combine the Drivers' License Center and the Metropolitan Assistance Center proved to be more expensive than separate leases. The Drivers' License Center lease at the same location will increase from \$7.50 per square foot (PSF) to \$8.50 PSF with the agency paying all utilities. An option for a second five-year lease increases the lease to \$11 PSF. Answering a question, Mr. Gaito said the space standards were exceeded to provide testing area for those applying for a driver's license. *A motion was made, seconded, and passed to approve the lease. (Motion, Senator Umbarger; seconded by Representative Grant)*

Regarding the lease for the Metropolitan Assistance Center, which remains at its current location, Mr. Gaito said the lease cost will increase from \$12.50 PSF to \$13.58 PSF. Answering a question, he said that the 10-year lease was \$2 less PSF than a five-year lease. He replied that the new lease includes infrastructure upgrades which should be completed within 90 days. He

anticipates that utility costs will go down after the upgrades are completed. *By motion of Representative Feuerborn and second by Senator Kelly; the lease was approved.*

Marilyn Jacobson, Director, DFM, gave a progress report on replacing the 80-year-old maintenance tunnel for utility systems (Attachment 2). She reviewed the deteriorating condition of the present tunnel and noted the appropriation of \$3 million for a long-term solution by the 2008 Legislature. The least expensive option is to build a new tunnel. She stated that the project design is nearing completion; however, in preparing to issue an RFP (Request for Proposal) for a construction contract, DFM was informed by the City of Topeka that the franchise utilities under contract with the city (Westar, AT&T, and Kansas Gas), who will be impacted by the tunnel, were refusing to bear the cost of relocating their utility lines. Ms. Jacobson said the issue hinges on interpretation of the term "public project." If the tunnel is deemed a public project, the franchise utilities must bear the cost of moving utility lines. If the project is not considered a public project, the city need not request franchise utilities to cover the cost of relocating their lines. She said the state's position is that the project is obviously a public one.

Members discussed the issue, suggesting perhaps an opinion from the Attorney General. Senator Emler recommended getting all parties together to resolve the issue. No further decision was made.

Robert Blecha, Director, Kansas Bureau of Investigation (KBI), updated the Committee regarding the KBI's need for more space, especially for its forensic laboratory (Attachment 3). He then introduced David Hutchings, Special Agent, KBI, who is lead agent in acquiring property surrounding the present KBI building. Mr. Hutchings stated that of the 10 sites available for purchase, the KBI currently has acquired four of the properties. He commented that a needs assessment and site master plan are nearing completion. He then introduced Dwain Worley, Forensic Scientist, KBI, who commented on the expanded resources used by the KBI over the past ten years, the addition of more staff, and the concomitant need for more forensic space.

Dave Emig, Emig and Associates, Architects in Emporia and team leaders for the needs assessment study, briefed the Committee on other law-enforcement sites.

Bill Laurie, McClaren-Wilson-Laurie Architects, Consultants for Public Facilities, stating that MWL has experience with over 100 crime laboratories, outlined the process of the needs assessment.

Russell McElroy, MWL Architects, provided recommendations derived from the study, saying that the present structure is not adequate for KBI needs. He recommended a new building contiguous with the present building, the latter which would be remodeled for non-lab functions.

The meeting was adjourned at 1:30 p.m. No further meeting was scheduled.

Prepared by Gary Deeter

Approved by Committee on:

February 9, 2009

(Date)

**JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION  
GUEST LIST**

DATE: JANUARY 27 2009

NAME	TITLE	REPRESENTING
BILL LAWRIE	PRINCIPAL	McCLAREN, WILSON & LAWRIE
Russell McElroy	ARCHITECT	McCLAREN, WILSON + LAWRIE
DAVE EMIG	Architect	EMIG & ASSOC.
MIKE VAN STREATOR	LAB DIRECTOR	KBI
Robert E. Blecha	KBI Director	KBI
Dwain Worley	Firearm Scientist	KBI
DOUG JORGENSEN	SPECIAL AGENT KBI	KBI
Kevin Fulton	Facilities mgmt	KDOR
Bobby Kosmala	Senior Ops Mgr	SRS
Richard Crato	Dep Dir Real Estate	DFM
Linda Thomas	Lease Admin.	DFM
Marilyn Jacobsen	DFM Dir	DOA
George Weith	DFM Eng.	DFM
Patricia Hurley	Chief Counsel	DOA
Gene DANIELSON	Arch.	TREASURER

**Proposed Lease Comparison**  
**Kansas Department of Revenue - Drivers License Center**

As of January 27, 2009

A	B	C	D	E
	Current Lease	Proposed Lease	Other State Leases	
<b>GENERAL INFORMATION</b>				
1 Agency	Revenue	Revenue	Corrections	Labor
2 Address	6503-6507 Johnson Drive	6503-6507 Johnson Drive	804 Meadowbrook Dr.	8417 Santa Fe Drive
3 City Location (market)	Mission	Mission	Olathe	Overland Park
4 Landlord	Block Properties & Companies XXV LLC	Block Properties & Companies XXV LLC	Mike Hales Real Estate, Ltd or Assigns	Blackshire Management Co., LLC
5 Lease Space (sq. ft.)	Office Sq. Ft. 6,000	6,000	8,844	7,126
6	Storage Sq. Ft. 0	0	0	0
7	Total Sq. Ft. 6,000	6,000	8,844	7,126
8 Full Time Equivalency (FTE) employees/workstations	17	17	20	22
9 Lease Begin Date (initial lease period)	4/1/2004	4/1/2009	3/1/2008	4/1/2007
10 Lease End Date (initial lease period + renewals/extensions)	3/31/2009	3/31/2014	2/28/2018	3/31/2009
11 Years of Lease	5	5	10	2
12 Space Standards Check (sq. ft. per FTE/workstation)	353	353	442	324
<b>LEASE COSTS - provided by 1st Party Landlord within the lease</b>				
13 Base Lease Cost (annual per sq. ft.)	\$7.50	\$8.50	\$14.25	\$17.50
14 Storage				
15 Real Estate Taxes	inc. in base	inc. in base	in base with stop	inc. in base
16 Insurance	inc. in base	inc. in base	in base with stop	inc. in base
17 Major Maintenance	inc. in base	inc. in base	in base with stop	inc. in base
18 Utilities - total				
19 Electricity	not included	not included	not included	not included
20 Gas	not included	not included	not included	not included
21 Water/Sewer/etc.	not included	not included	not included	not included
22 Trash Pickup/Removal	not included	not included	not included	not included
23 Custodial/Janitorial	not included	not included	not included	inc. in base
24 Pest Control	not included	inc. in base	inc. in base	inc. in base
25 Grounds Maintenance (inc. snow removal)	not included	inc. in base	inc. in base	inc. in base
26 Common Area	not included	inc. in base	inc. in base	inc. in base
27 Other Services - Bldg Operating Expense Stops	not included	not included	not included	not included
28 Parking	n/a	inc. in base	inc. in base	inc. in base
29 No. of Parking Spaces included	0	open lot	40	50
30 SUBTOTAL - Lease Costs w/o Additional Services	\$7.50	\$8.50	\$14.25	\$17.50
<b>Additional Services</b>				
31 Additional Services				
32 SUBTOTAL - Additional Services	\$0.00	\$0.00	\$0.00	\$0.00
<b>OTHER BUILDING OCCUPANCY COSTS - funded by the State Agency separate from the lease</b>				
33 Building Operating Cost (not included in base rent)				
34 Utilities - total (estimated)				
35 Electricity	\$1.24	\$1.24	\$0.54	\$1.40
36 Gas	\$0.66	\$0.66	\$0.17	\$0.31
37 Water/Sewer/etc.	\$0.15	\$0.15	\$0.09	\$0.17
38 Trash Pickup/Removal			\$0.00	\$0.00
39 Custodial/Janitorial	\$0.74	\$0.74	\$0.90	
40 Pest Control				
41 Grounds Maintenance (inc. snow removal)				
42 Parking				
43 No. of Parking Spaces included				
44 Other Services				\$0.00
45 Total Other Bldg Optg Costs (not included in lease)	\$2.79	\$2.79	\$1.71	\$0.00
<b>IMPROVEMENTS</b>				
46 Improvements			\$0.10	
47 Subtotal - Improvements	\$0.00	\$0.00	\$0.10	\$0.00
48 Annual Cost per Sq. Ft. (estimated)	\$10.29	\$11.29	\$16.06	\$17.50
49 Annual Cost (estimated)	\$61,761	\$67,761	\$142,011	\$124,705
50 Total Cost of Lease (estimated)	\$308,805	\$338,805	\$1,420,114	\$249,410

**Proposed Lease Comparison**  
**Department of Revenue - Assistance Center**  
as of January 27, 2009

A	B	C	D	E
	Current Lease	Proposed Lease	Other State Leases	
<b>GENERAL INFORMATION</b>				
1 Agency	Revenue	Revenue	Kansas Dept. of Wildlife & Parks	State Banking Commission
2 Address	13420 W 62nd Terr	13420 W 62nd Terr	8304 Hedge Lane Terr.	8735 Rosehill
3 City Location (market)	Shawnee	Shawnee	Shawnee	Lenexa
4 Landlord	Mill Creek Investors, LLC	Mill Creek Investors, LLC	Mather Enterprises	98-OP Properties
5 Lease Space (sq. ft.)	Office Sq. Ft. 5,727	5,727	4,370	3,295
6	Storage Sq. Ft.		3,234	
7	Total Sq. Ft.	5,727	7,604	3295
8 Full Time Equivalency (FTE) employees/workstations	29	29	8	14
9 Lease Begin Date (initial lease period)	12/1/1999	12/1/2009	7/1/2010	12/1/2004
10 Lease End Date (initial lease period + renewals/extensions)	11/30/2009	11/30/2019	6/30/2020	11/30/2010
11 Years of Lease	10	10	10	6
12 Space Standards Check (sq. ft. per FTE/workstation)	197	197	546	235
<b>LEASE COSTS - provided by 1st Party Landlord within the lease</b>				
13 Base Lease Cost (annual per sq. ft.)	\$12.50	\$13.58	\$18.52	\$16.00
14 Storage				
15 Real Estate Taxes	inc. in base	inc. in base	in base w/ stop	inc. in base
16 Insurance	inc. in base	inc. in base	in base w/ stop	inc. in base
17 Major Maintenance	inc. in base	inc. in base	in base w/ stop	inc. in base
18 Utilities - total				
19 Electricity	not included	not included	not included	inc. in base
20 Gas	not included	not included	not included	inc. in base
21 Water/Sewer/etc.	not included	not included	not included	inc. in base
22 Trash Pickup/Removal	not included	not included	not included	inc. in base
23 Custodial/Janitorial	not included	not included	not included	inc. in base
24 Pest Control	inc. in base	not included	not included	inc. in base
25 Grounds Maintenance (inc. snow removal)	inc. in base	inc. in base	inc. in base	inc. in base
26 Common Area	inc. in base	inc. in base	inc. in base	inc. in base
27 Other Services - Bidg Operating Expense Stops	\$0.00	\$0.00	\$0.00	inc. in base
28 Parking	inc. in base	inc. in base	n/a	inc. in base
29 No. of Parking Spaces included	29	29		
30 SUBTOTAL - Lease Costs w/o Additional Services	\$12.50	\$13.58	\$18.52	\$16.00
<b>Additional Services</b>				
31 Additional Services				
32 SUBTOTAL - Additional Services	\$0.00	\$0.00	\$0.00	\$0.00
<b>OTHER BUILDING OCCUPANCY COSTS - funded by the State Agency separate from the lease</b>				
33 Building Operating Cost (not included in base rent)				
34 Utilities - total (estimated)				
35 Electricity	\$1.02	\$1.02	\$1.17	
36 Gas	\$0.43	\$0.43	\$1.07	
37 Water/Sewer/etc.	\$0.21	\$0.21	\$0.04	
38 Trash Pickup/Removal				
39 Custodial/Janitorial	\$0.47	\$0.47	\$0.95	
40 Pest Control				
41 Grounds Maintenance (inc. snow removal)				
42 Parking				
43 No. of Parking Spaces included				
44 Other Services				
45 Total Other Bldg Optg Costs (not included in lease)	\$2.13	\$2.13	\$3.23	\$0.00
<b>IMPROVEMENTS</b>				
46 Improvements				
47 Subtotal - Improvements	\$0.00	\$0.00	\$0.00	\$0.00
48 Annual Cost per Sq. Ft. (estimated)	\$14.63	\$15.71	\$21.75	\$16.00
49 Annual Cost (estimated)	\$83,784	\$89,969	\$165,387	\$52,720
50 Total Cost of Lease (estimated)	\$837,835	\$899,687	\$1,653,870	\$316,320

**Kansas Department of Administration  
Duane A. Goossen, Secretary  
Carol L. Foreman, Deputy Secretary  
1000 S.W. Jackson, Suite 500  
(785) 296-3011**

**Joint Committee on State Building Construction  
Capitol Complex Utility Tunnel**

**Marilyn L. Jacobson, Director  
Division of Finance and Facilities Management  
January 27, 2009**

Thank you for the opportunity to provide an update regarding the Capitol Complex Utility Tunnel.

**Background**

The Department of Administration requested funding in last year's Five-Year Capitol Improvement Plan to replace the 80 year old maintenance tunnel for utility systems. Although this is not a pedestrian tunnel, Division of Facilities Management employees enter this tunnel area every shift to verify the integrity of the tunnel and the systems it accommodates. Due to the age of this tunnel, water enters the tunnel from rain and the watering of the lawn through the top due to the failing brick construction. There have been areas of the tunnel that have caved in and with water standing on the dirt floor of the tunnel, this area becomes hazardous for employees to enter and work.

The tunnel provides service to the Landon Building, Memorial Hall, Curtis Building and the Judicial Center. With this tunnel containing steam piping, electrical service and communication conduit, a collapse of this tunnel could sever service to these buildings for an extended period of time while repairs are made as well as parts of downtown Topeka.

Major life safety issues which were identified as an immediate concern were as follows:

- Continuous spalling of the concrete and water infiltration; and
- There are two utility lines along Jackson Street. Both lines are in conduit with the lines crossing the utility tunnel encased in concrete. The lines serve the Capitol Complex and parts of downtown Topeka. The encasement and pipes were broken, exposing the cables.

Jt. Committee on State Building  
Construction

Meeting Date: 1-27-09  
Attachment No. 2

The 2008 Legislature approved \$370,170 in FY 2008 for immediate repairs to the tunnel. The temporary repairs were for stopping the water infiltration of the tunnel south of 10<sup>th</sup> Street which serve the Judicial Center; installation of new sump pump to drain the tunnel from the Statehouse to Memorial Hall; fixing the public utility penetrations of the tunnel walls; repair and seal some of the major joints and fractures in the tunnel walls and roof; installation of strut pipes and bearing plates to slow down wall displacement; and repairs to the existing pipe and conduit support framing. These repairs will extend the life of the tunnel and utilities for two years and have been completed.

### **FY 2009 Project**

The 2008 Legislature approved \$3.0M to make long-term repairs to the Capitol Complex Utility Tunnel. Several routings of new tunnel and pipe trench were evaluated. Smith and Boucher Engineers from Olathe conducted the evaluation during November, 2007. Several site visits to the tunnels and conferences with the public utilities and the City of Topeka were conducted to verify the conditions of the existing tunnels and distribution systems, the existing conditions of the public utilities crossing the existing tunnels and general layout of the existing public utilities adjacent to the existing and proposed alternate tunnel sites. Review of available construction and utility drawings and steam loads was also performed.

### **Repair Existing Tunnel System - \$4,844,488**

Repair and upgrade of the existing tunnel is the most costly option reviewed and it will have the shortest anticipated service life of five years. The following are reasons why this is the highest cost option.

- a. The repair work will require the installation of new drainage along the tunnel. This will require a majority of the tunnel to be excavated.
- b. It is assumed that during the excavation process as much as 30% of the tunnel will collapse and need to be replaced with new cast in place tunnel (more expensive than the pre-case design of a new tunnel). The cast in place tunnel will be required to match up with the existing tunnel.
- c. There will be no steam heat available for Landon, Memorial, Curtis and Judicial Center while this work is being done. This will require a temporary heating boiler be installed on the southeast Statehouse Grounds for providing heat to the buildings.
- d. Portions of the tunnel that are not replaced will need to be reviewed every five years. This will likely result in additional repair projects in the future.



## New Utility Trenches and Tunnel

No buildings used as part of the tunnel	\$3,855,348
Landon and Memorial used as part of the tunnel	\$3,278,570
Landon, Memorial and Curtis used as part of the tunnel	\$2,903,667

Several routings of new tunnel and pipe trench were evaluated. The conclusion that was reached is that it is cost effective to use buildings rather than new tunnel where practical (i.e. run steam piping through Landon and Memorial rather than building a pipe trench between 9<sup>th</sup> and 10<sup>th</sup> Street on Jackson). The consequence of this is that we create a dependence on the buildings in the complex. This is not a problem if the long term plans are to keep and maintain the buildings in the complex.

### Assumptions:

1. This project has the potential to reduce natural gas bills by approximately \$10,000 per year due to improving insulation on the steam piping and decreasing moisture damage to the insulation.
2. All of the estimates are based upon this work being done as one project under one general contractor. Any breakup of the project will lead to higher costs.
3. The cost estimates were based upon design starting within six months (May 2008) and construction beginning in 12 months (May 2009).
4. Other than the temporary repairs all options discussed on this project are highly dependent on negotiation with the City of Topeka. Information on this project has been provided to the City.

### Current Project Status

Project design is nearing completion. The next step is the letting of the construction contract in order that work may begin immediately upon completion of the Legislative Session. The timing of this project is critical in order to minimize street closures during the 2010 Legislative Session. However, an issue has arisen in the negotiations with the City of Topeka which may impact the State's ability to complete this project.

The issue is whether the costs of temporarily relocating franchise utilities required for the project under the City's franchise contracts should be borne by the State or the franchised utilities. This temporary relocation is necessary to prevent utility disruption during construction. The State's position is that this project is a "Public Project" and as such the franchised utilities *upon request by the City* are required to move their lines at no cost to the City. The relocation of municipally owned utilities is included within the project costs.

K.S.A. 12-2001(b) (1) requires all franchise contracts to be made by ordinance. The City of Topeka has done this and their franchise contracts are located in Appendix B of the City Code.

As an example, Article XIV of Appendix B contains the franchise contract with Westar Energy, Inc. (Ordinance No. 18297, 7-20-04). Section 6(e) of said ordinance states in part:

- “e. The Company shall promptly locate, remove, relocate or adjust any Facilities located in the Right-of-Way, City’s easements, or platted utility easements which contain City utilities or facilities if reasonably necessary and requested by the City for a Public Project. Such location removal, relocation or adjustment for a particular Public Project shall be performed by the Company without expense to the City, its employees, agents, or authorized contractors, and shall be specifically subject to rules and regulations of the City pertaining to such ...”

In Section 1, Definitions, of the above ordinance, Public Project means any project planned or undertaken and financed by the City or any governmental entity for construction, reconstruction, maintenance, or repair of public facilities or improvements, or any other purpose of a public nature paid for with public funds. (Emphasis added).

Clearly, per City ordinance, Westar is required to relocate any of its Facilities (electric distribution lines) located in the right-of-way for a Public Project, if requested by the City, and at no cost to the City.

During on-going discussions with the City of Topeka the State asked for clarification of this issue when it arose and was advised by the City in November 2008, “...It is our mutual determination that the project benefits the State of Kansas as an individual entity and is not a public project such as the construction of an underground public pedestrian walk way. Thus the costs of relocating utilities under our franchise agreements such as that for westar and Kansas gas will be necessarily borne by the state. A project does not serve a public purpose just because it is undertaken by a public agency. ...”

This project is not funded by a private institution, rather from legislative appropriation funded by taxes imposed on all the residents of the State of Kansas. This project will insure reliable utility service for the capitol complex buildings which serve all State residents. Nor does this project just benefit the State, as stated this project will serve the Curtis Building, which is owned by the City of Topeka Public Building Commission, and will provide for public safety by supporting City streets endangered by the deterioration of the existing tunnels.

As stewards of the State’s funds, we have been asking the City to follow its franchise contracts (ordinances) concerning public projects and request franchised utilities, which are located within the project area, to relocate their utilities as needed for this project at the franchisee’s cost which could be substantial. The State has agreed to pay the cost to

locate municipally owned utilities, but will continue to ask for the City's cooperation in granting an easement under the street right-of-way for the project and request franchised utilities pay for utility relocation.

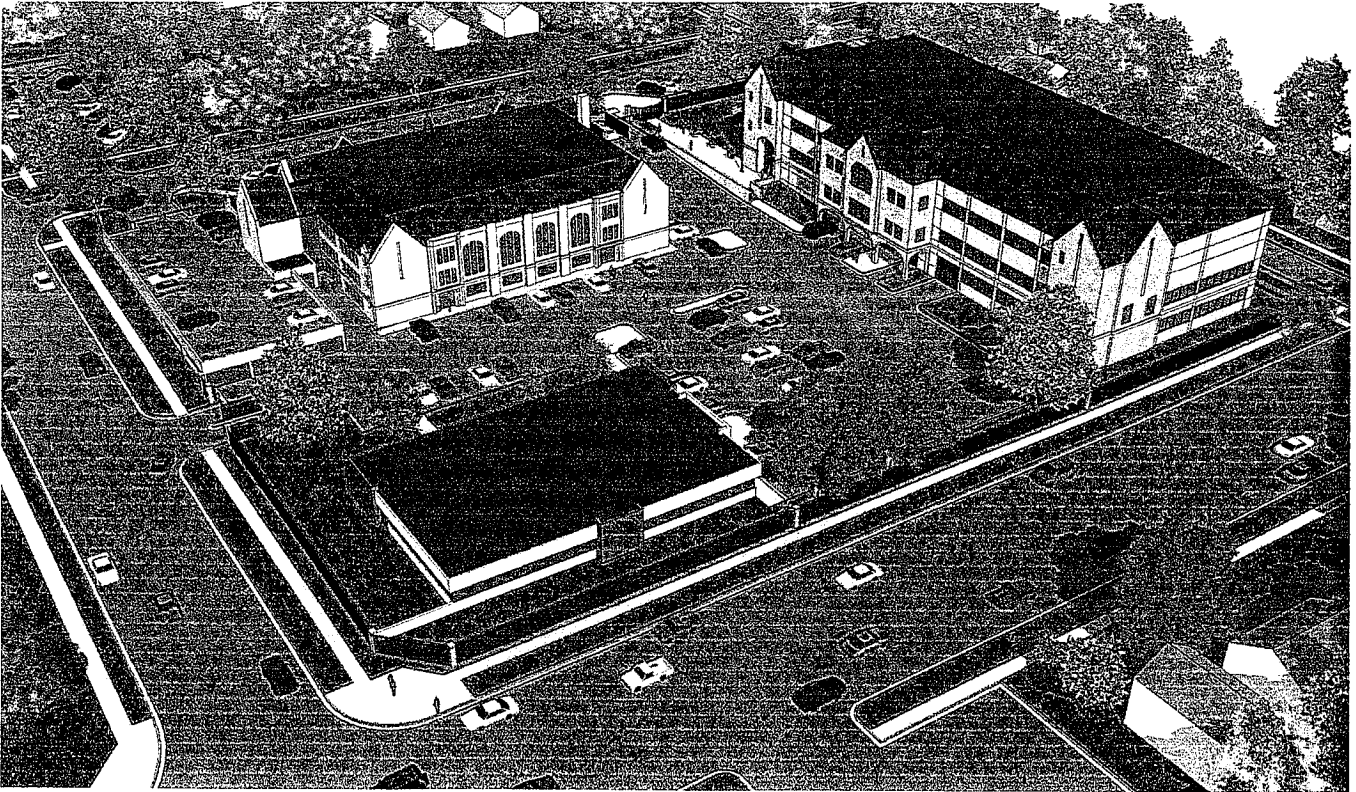
Thank you and I will stand for questions.

**Joint Committee on State Building Construction**

**Update of Kansas Bureau of Investigation Building Project**

**Presentation of Completed Needs Assessment and Site Master Plan**

Director Robert E. Blecha  
Kansas Bureau of Investigation  
January 27, 2009



Jt. Committee on State Building  
Construction

Meeting Date: 1-27-09

Attachment No. 3

Members of the Committee,

Thank you for the opportunity today to tell you about our continued efforts to improve the KBI and its services to Kansas and the law enforcement community. We appreciate your continuing support.

The KBI has explored a number of options over the years to resolve our chronic space concerns and to create the necessary space to accomplish our ever increasing and expanding mission. Our chronic space issues increase with every additional demand for services from the criminal justice community and with every new responsibility, such as mandates in the areas of DNA analysis and offender registration. Kansans expect accurate and professional forensic examinations, and Kansas law enforcement agencies and prosecutors expect that those services will be provided by the KBI in a timely manner. The KBI bears a tremendous responsibility in predicting future needs in this regard, and in preparing to meet those needs.

It had been apparent for many years that the KBI requires more space at its Headquarters complex-- particularly within its forensic laboratory. Understanding this, the KBI has made several small steps to make the Topeka Regional Forensic Laboratory more efficient. Ultimately, however, the best long term solution is to construct a new, more efficient laboratory building. The first page of this handout includes the most recent architect's rendering of what such a building might look like and how it might exist relative to existing structures. The rendering was done by a local firm and is based largely upon the formal needs assessment that was recently completed. While the actual complex may or may not look like this rendering, this drawing does represent the major design elements.

The purpose of our presence before you today is to bring you up to date on the accomplishments made possible by the continuing support of this committee and by funding provided by the Legislature.

#### **Property Acquisition**

In order to expand, it is imperative that the KBI acquire all existing properties on the block where its Headquarters is now located. In FY 2007, the Legislature tasked the KBI with initiating the purchases of 10 privately held properties to the north of KBI Headquarters. This process was to begin in FY 2008 with an initial appropriation of \$124,000. Per legislative instructions, the KBI hired 3 appraisers in FY 2008 to compile a current market value on each of those properties. Costs for these appraisals totaled \$6,000.

The KBI then enlisted the expertise of an on-call real estate broker to act in the State's behalf in negotiating the purchase of those properties. In FY 2008, the KBI purchased 2 vacant lots for \$16,639, with a 3<sup>rd</sup> vacant lot (west side of Tyler) included at

the request of the seller at virtually no cost to the KBI. In FY 2009, the KBI purchased one property for \$26,858 and another for \$19,500. Negotiations for the six remaining properties are ongoing. We have moved slowly ahead in the purchase of property so as to avoid inflation of property values and to avoid, if possible, any request for additional funding for property acquisition.

### **Needs Assessment and Site Master Plan**

The KBI enlisted the services of an architectural firm to complete a study that will form the basis for all other planning efforts related to the KBI HQ complex. The products of this study are a needs assessment, site master plan, and architectural program. These items provide recommended solutions for such issues as space utilization, traffic flow, phasing, general appearance, utilities, zoning, easements and code compliance. They are necessary to ensure responsible management of this project. The studies are completed, and we are presenting the results of those studies at this time to this committee. Our consultants are here to elaborate on their findings and to answer questions. A copy of their PowerPoint presentation is attached. Two books are presented to this committee along with several other copies on compact disc. The consultants' recommendations, based upon their objective review of our present situation, include the construction of a new forensic laboratory and the renovation of our present Headquarters building into office and multipurpose spaces. The estimated cost for this project, in total, is \$44,346,700.

### **What Is Next?**

The KBI's next step is to begin the detailed planning phase for the new forensic laboratory building. As we mentioned to the committee during the last session, all of the renovations and expansions for which we were fortunate to receive funding, are and were always intended to be only a temporary fix. We feel that these enhancements have pushed back the inevitable crisis for only a brief time.

We realize that Kansas is going through difficult times. We ask for your continued support, and we seek direction from this committee.

Thank you for your kind attention.



## KBI Building Project

A Forensic Scientist's View, presented by  
Dwain Worley

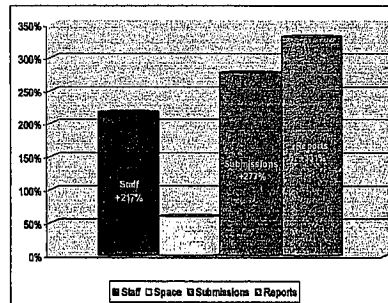


## Evolving Science

- Databases
  - Fingerprints
  - Firearm cartridge cases
  - DNA profiles
  - Identification of Unknown Suspects



## Biology Changes 1985 – 2008

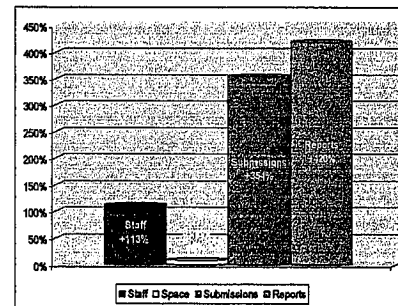


## Biology Present and Near Future

- Over a year processing time for DNA reports
- More efficient procedures
- Five new examiners coming on line this summer
- Expanded staff will face limitations.
  - only two evidence examination rooms
  - limited instrument room and HVAC issues in this room
- Necessity to concentrate on rapes and murders
- Not able to routinely work on burglary evidence
  - Burglaries affect a lot of people and lead to other crimes – previous example
  - 80% of the crimes committed by 20% of the criminals
  - Unrealized time savings for investigators



## Chemistry Changes 1985 – 2008



### Trace Section

- Discontinued Services
  - Hair & Fiber
  - Glass
  - Lamp filament
  - Paint
  - Explosives



### Remodeling Since 1984

- Total increase of lab space by 20%
- Many compromises to fit in the available space
- After 25 years, we have outgrown our current building
- Exceeded the capabilities of the building's mechanical systems



### Needs of Kansas Criminal Justice Agencies

- KBI Advisory Committee



### PURPOSE OF NEEDS ASSESSMENT AND SITE MASTERPLAN

- Project and Document space needs of the KBI Forensic Lab
- Develop a conceptual Site Masterplan to illustrate a proposed new forensic lab building on the property of the KBI Headquarters
- Prepare a conceptual project cost estimate
- Present recommendations to KBI and State of Kansas

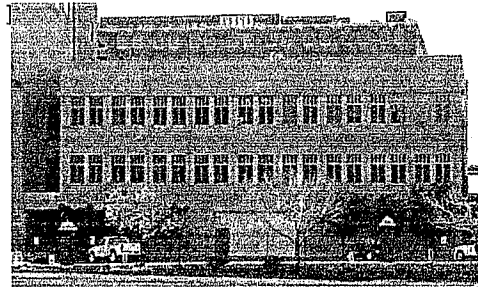


### PROCESS OF STUDY

- Toured forensic labs in St. Louis and Oklahoma
- Selected MWL Architects, Inc. to conduct needs assessment and provide consultation for conceptual design
- Interviewed KBI Lab Section Chiefs to document case load, equipment and space needs
- Developed Needs Assessment and Architectural Program
- Researched zoning requirements and site restrictions
- Developed conceptual Site and Building Plan
- Developed conceptual 3D model of proposed new lab building
- Prepared conceptual Project Cost Estimate

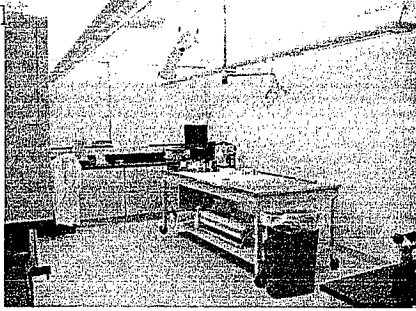


### TOUR OF ST. LOUIS POLICE DEPT





**TOUR OF ST. LOUIS POLICE DEPT**



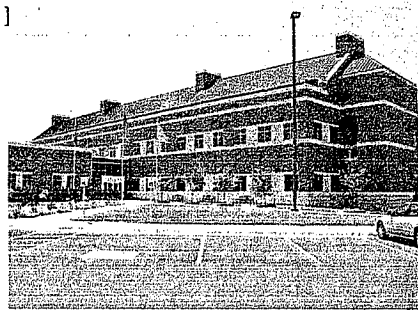
**TOUR OF ST. LOUIS POLICE DEPT**



**TOUR OF ST. LOUIS POLICE DEPT**



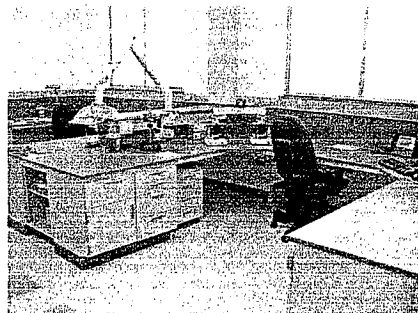
**TOUR OF OKLAHOMA STATE  
BUREAU OF INVESTIGATION**



**TOUR OF OSBI FORENSIC LAB**



**TOUR OF OSBI FORENSIC LAB**



## EMIG and ASSOCIATES, ARCHITECTS

- Team leader for study
- Researched site zoning issues
- Assisted MWL Architects to gather space needs information
- Prepared conceptual floor plans with assistance from MWL
- Prepared conceptual 3D model of proposed lab building
- Prepared conceptual cost estimates with assistance from MWL



## MWL ARCHITECTS, INC.

- Consultants for Forensic Laboratory Design for last 25 years
- Experience in over thirty States for over 100 crime labs
- Similar and relevant projects
  - OSBI project,
  - FBI National Forensic Laboratory
  - Johnson Co. Crime Lab
  - Indiana State Police Lab
  - Virginia Division of Forensic Science
  - Washington State Patrol
  - Maryland State Police
  - Tennessee Forensic Labs
  - Dallas County Southwestern Institute of Forensic Sciences
  - Santa Clara County Crime Lab
  - Alaska Crime Detection Lab
  - Vermont Public Safety Lab



## SPACE NEEDS ASSESSMENT Planning Milestones

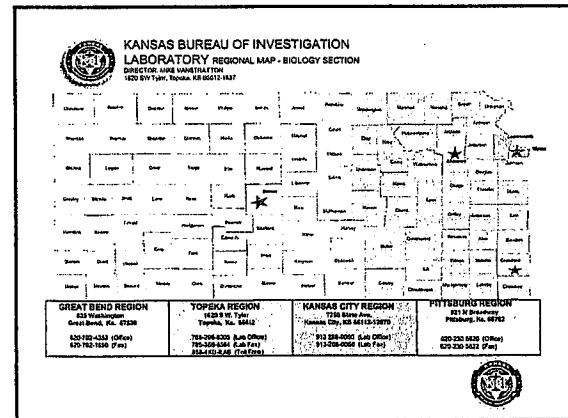
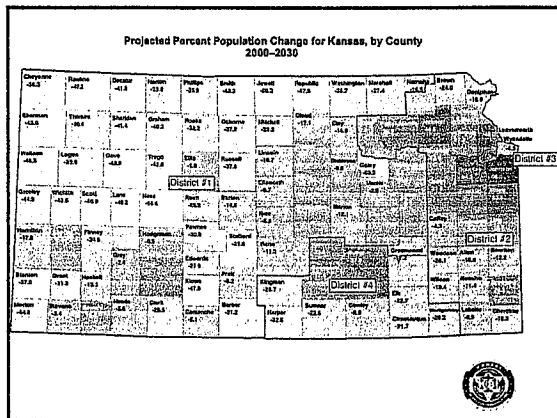
- 2008 Current Analysis
- 2012 Decompression
- 2022 10 Year Planning Horizon
- 2032 20 Year Long Range Plan

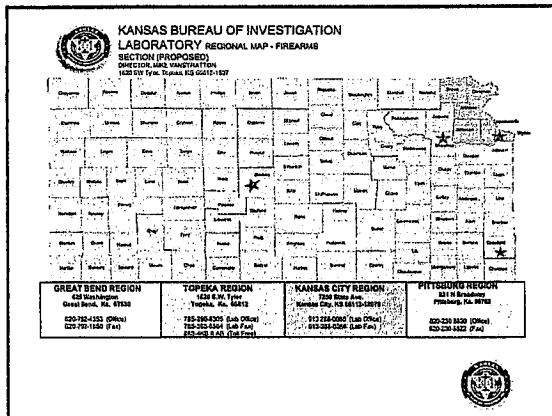
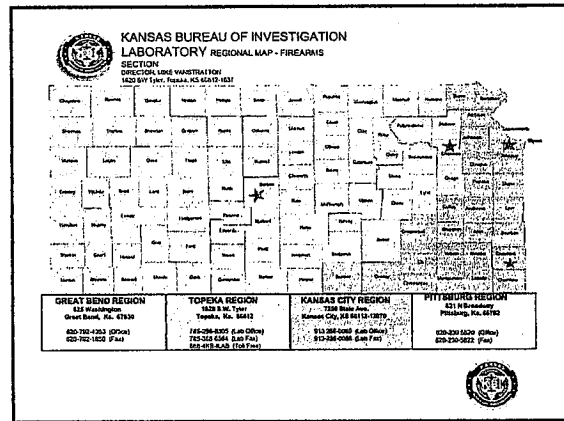
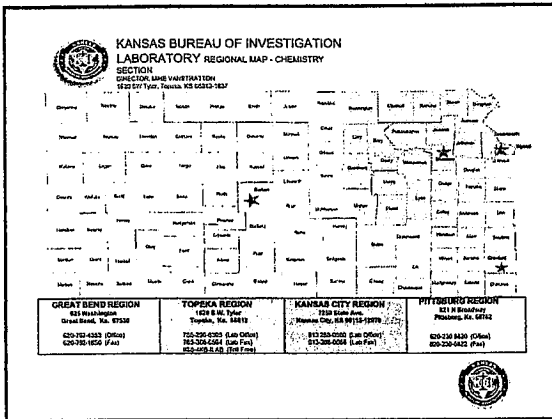
## Program Driven Factors

- Needs Driven Process
- Equipment and Instrumentation
- Demographic and Crime Factors
- Unmet needs
- Trends and Influences
- Flexible growth and expandability
- National codes, standards & recommendations
- Accreditation requirements



Space Name	Number of Staff					Square Footage Area of Space	
	Year	2008	2012	2022	2032	Planning Horizon	Long Range Plan
<b>Area Summary: Kansas Bureau of Investigation</b>							
		Staff / Section			Net Area per Section		
Lab Administration	4.0	9.0	11	11	2,260	2,290	
Lab Support / Employee Facilities	0.0	0.0	0	0	6,052	6,091	
Biohazard Control Section	3.0	3.0	4	4	4,220	5,299	
Biology Section	15.5	20	23	26	12,070	13,453	
Toxicology Section	5.0	6.0	6.5	7.0	5,299	5,286	
Chemistry Section	7.0	8.0	8.5	9.0	7,368	8,039	
Forensic / Instrument Section	3.0	6.0	7	8	6,363	7,244	
Latent Print Section	6.5	7.0	7.5	8.0	4,564	4,717	
Documents / Graphic Arts Section	1.0	2.0	3	3	947	947	
Trace Evidence / Organic Chemistry Section	2.0	2.0	3	4	3,370	3,119	
<b>Total Lab Staff for Facility:</b>	<b>47</b>	<b>63</b>	<b>73</b>	<b>79</b>			
						<b>Net Square Footage of Facility:</b>	<b>52,466</b>
						<b>Net Square Footage of Facility:</b>	<b>52,466</b>
OSBI Construction/Structure	1971				5,247	5,096	
Multi-Phase Factor (Dialy & Ultraviolet)	2903	3 floor			2,300	3,000	
Stacking Factor	1903				1,500	1,500	
Electrical/IT/Telecom/Chillers	3171				10,493	11,271	
* Vestibule, Corridor, Walls							
						<b>TOTAL GROSS SQUARE FOOTAGE OF FACILITY:</b>	<b>72,016</b>
						<b>Gross Square Feet of Area per Lab Staff:</b>	<b>993</b>
						<b>Specialty Vehicle Garage:</b>	<b>7,560</b>

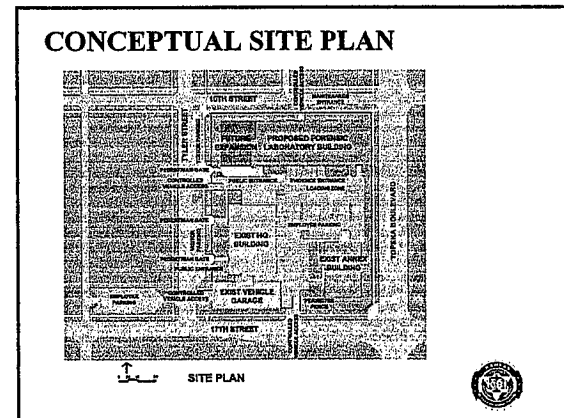




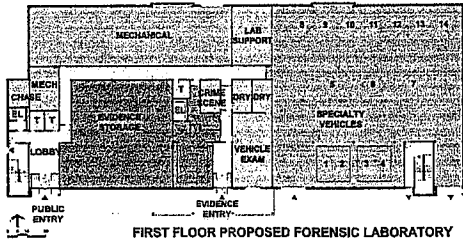
### STUDY RECOMMENDATIONS

- **Build New Laboratory Building for Year 2022 Needs**
  - Laboratory - 72,006 SF
  - Specialty Vehicle - 7,560 SF
  - 79,566 SF
- **Renovate Existing KBI HQ for Non-Lab Functions**
  - Office/Training - 36,444 SF

- ### SITE EVALUATION
- New construction project is not viable unless all private properties are acquired
  - Supplemental off-street parking will be required
  - Alley will need to be vacated
  - Retention of waste-water will likely be required
  - No zoning issues have been identified that will stop planning
  - All necessary utilities are available at site
  - Proposed new lab building fits nicely on site



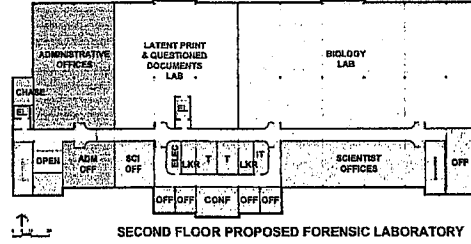
**CONCEPTUAL FLOOR PLANS**



FIRST FLOOR PROPOSED FORENSIC LABORATORY



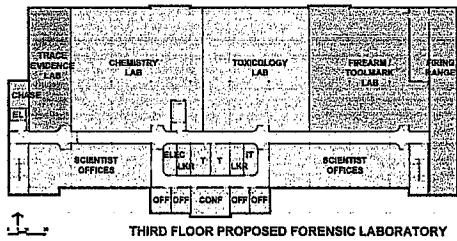
**CONCEPTUAL FLOOR PLANS**



SECOND FLOOR PROPOSED FORENSIC LABORATORY



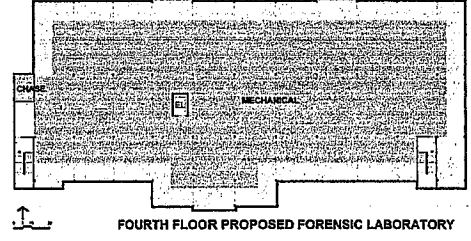
**CONCEPTUAL FLOOR PLANS**



THIRD FLOOR PROPOSED FORENSIC LABORATORY



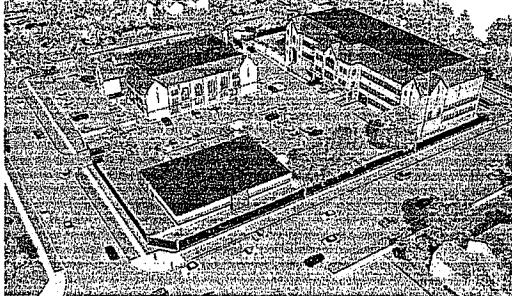
**CONCEPTUAL FLOOR PLANS**



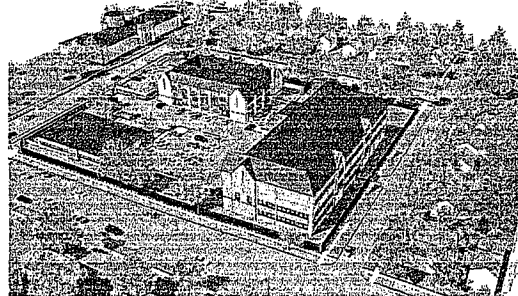
FOURTH FLOOR PROPOSED FORENSIC LABORATORY



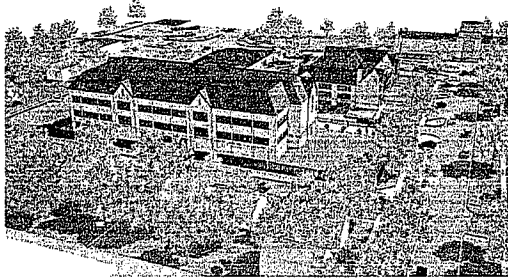
**VIEW FROM SOUTHEAST CORNER**



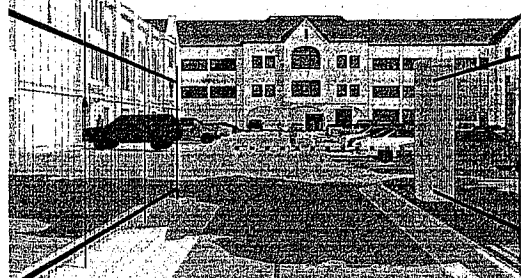
**VIEW FROM NORTH EAST CORNER**



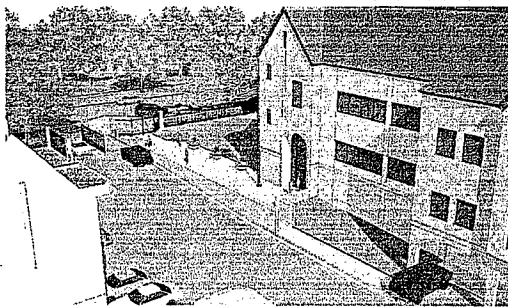
**VIEW FROM NORTHWEST CORNER**



**VIEW FROM 17<sup>TH</sup> STREET ENTRANCE**



**VIEW OF LABORATORY ENTRANCE**



**SIZE AND BUDGET**

**Size**

- 79,566 SF of new construction
- 36,444 SF of renovation of existing building
- Year 2022 space needs

**Budget**

- \$44,346,700 Total Project Cost

• \$34,808,367 is the "Hard Costs" consisting of site work, building, fixturing and furnishings. Balance is "Soft Costs" including design fees and expenses, construction management fees, DFM fees, and other normal project costs.

- Assumed construction start in 2010



**QUESTIONS FROM THE COMMITTEE**

