STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
300 S.W. TENTH AVENUE
TOPEKA, KS 66612
(785) 296-7673
mark.hutton@house.ks.gov

DISTRICT OFFICE
7118 CLEAR MEADOW CT.
WICHITA, KS 67205
(316) 268-9888

MARK HUTTON
105TH DISTRICT

Testimony for HB 2267
Alternative Project Delivery; notice requirements and selection procedures

Chairman Lynn and members of the Senate Commerce Committee. My name is Mark Hutton and I come before you today to speak in favor of HB 2267.

HB 2267 addresses two issues with the current statues related to Alternative Project Delivery - Transparency and Objectivity.

Transparency is addressed by adding the requirement for the notification of active general contractor trade organizations in our state to insure that Kansas Contractors have every opportunity to pursue projects. Currently, the only notification requirement is to post in the Kansas Register. These notices are at times vague and circuitous with references to other web sites. History has shown that may not produce the desired results. One example would be a $50,000,000 project at Kansas State University where there was not one Kansas contractor that was aware of this project until it was awarded to an out of state contractor. Many times in the past the Associated General Contractors of Kansas was notified of projects as a courtesy. This practice has become erratic and I feel needs to be made part of our procurement process to insure that our Kansas construction companies have every opportunity to contribute to our states growth.

The other part of this bill addresses the objectivity of the selection process by requiring that the financial portion of a Contractors response to a request for proposal (RFP) be evaluated and scored separately by the Department of Administration. This measure would do two things to improve the statues. First, it would provide for a consistent evaluation of the fees and general conditions costs for the project by insuring that the person performing the evaluation was familiar with the industry's common approaches and standardize the methodology of evaluation from project to project. This is necessary because Fee and General Conditions proposals can becomes very complex due to various programs for insurance and pass through costs. It is important that the person evaluating these points be familiar with the consequences of those programs. Secondly, this process will help prevent the financial aspect of the RFP from influencing the objective scoring of the other portions of the RFP and limits the impact of the fee score on the overall selection process. This will guide school boards and agencies to the best value for our state which is the ultimate goal of using Alternative Project Delivery in the first place.

Alternative Project Delivery has been good tool for our state agencies and school districts to increase the value of their projects. It increases budget control, quality, and timeliness of projects. The changes proposed by HB 2267 will insure its continued success.