

Report of the Joint Committee on State Building Construction to the 2024 Kansas Legislature

CHAIRPERSON: Representative Bill Sutton

VICE-CHAIRPERSON: Senator Carolyn McGinn

RANKING MINORITY LEADER: Senator Marci Francisco

OTHER MEMBERS: Senators Rick Billinger, J.R. Claeys, and Usha Reddi; and Representatives John Alcalá, Avery Anderson, Leo Delperdang, and Jarrod Ousley

CHARGE

Study, Review, and Make Recommendations on Capital Improvement Expenditures and Other State-owned Properties and Leases

The Committee is authorized by KSA 46-1701, which includes provisions allowing the Committee to meet on call of its chairperson at any time and any place within the state and to introduce legislation. The Committee is authorized to study, review, and make recommendations on all agency five-year capital improvements plans, leases, land sales, and statutorily required reports by agencies, and to travel throughout the state to observe state-owned buildings.

Joint Committee on State Building Construction

ANNUAL REPORT

Conclusions and Recommendations

All five-year capital improvement plans were reviewed and recommended by the Committee with the following additional recommendations:

- Department of Labor – Inspection of the cast-iron piping at the 401 SW Topeka Blvd. building in Topeka should be completed earlier if funding is available;
- Kansas State School for the Deaf – Recommendation of the two supplemental requests of \$320,000 from the State Institutions Building Fund, with \$100,000 for utility service tunnel repairs and \$220,000 for elevator safety and code-required upgrades; and
- Department of Corrections – Support for the passage of 2023 SB 275, which is currently in the Senate Committee on Ways and Means, that would increase the moneys allocated to the Correctional Institutions Building Fund from lottery revenues.

Proposed Legislation: None.

BACKGROUND

The Joint Committee on State Building Construction was established during the 1978 Legislative Session. The Special Committee on Ways and Means recommended the bill creating the Committee, 1978 HB 2722, as a result of its interim study of state building construction procedures.

The Committee was expanded from six members to ten members by 1999 HB 2065. Currently, it is composed of five members of the Senate and five members of the House of Representatives. Two members each are appointed by the Senate President, Senate Minority Leader, Speaker of the House of Representatives, and House Minority Leader.

The Chairperson of the Senate Committee on Ways and Means and the Chairperson of the House Committee on Appropriations serve on the Committee or appoint a member of such committee to serve (KSA 46-1701).

The Committee may meet at any location in Kansas on call of the Chairperson and is authorized to introduce legislation (KSA 46-1701).

The primary responsibilities of the Committee are set forth in KSA 46-1702. The Committee is to review and make recommendations on all agency capital improvement budget estimates and five-year capital improvement plans, including all project program statements presented in support of appropriation requests, and to continually review and monitor the progress and results of all state capital construction projects. The Committee also studies reports on capital improvement budget estimates that are submitted by the State Building Advisory Commission. The Committee makes annual reports to the Legislature through the Legislative Coordinating Council (LCC) and other such special reports to the appropriate committees of the House of Representatives and the Senate.

Each state agency budget estimate for a capital improvement project is submitted to the Committee, the Division of the Budget, and the State Building Advisory Commission by July 1 of each year. Each

estimate includes a written program statement describing the project in detail (KSA 75-3717b). The budget estimate requirement does not apply to federally funded projects of the Adjutant General's Department or to projects for buildings or facilities of the Kansas Correctional Industries of the Department of Corrections that are funded from the Correctional Industries Fund. In those instances, the Adjutant General reports to the Committee each January regarding federally funded projects, and the Director of the Kansas Correctional Industries advises and consults with the Committee prior to commencing such projects for the Kansas Correctional Industries (KSA 75-3717b and 75-5282).

The Secretary of Administration issues monthly progress reports on capital improvement projects, including all actions relating to change orders and changes in plans. The Secretary of Administration is required to first advise and consult with the Committee on each change order or change in plans that increases project cost by \$125,000 or more, prior to approving the change order or change in plans (KSA 75-1264). Similar requirements were prescribed in 2002 for projects undertaken by the State Board of Regents for research and development facilities and the state educational facilities (KSA 76-786).

If the Committee will not be meeting within ten business days, and the Secretary of Administration determines it is in the best interest of the State to approve a change order or change in plans with an increase in project costs of \$125,000 or more, KSA 75-1264(d) provides an alternative method for achieving approval by the Committee. A summary description of the proposed change order or change in plans is transmitted to each member of the Committee, and a member may request a presentation of the proposal at a meeting of the Committee. If, within seven business days of the date the notice was transmitted, two or more members notify the Director of Legislative Research of a request to have a meeting on the matter, the Director will notify the Chairperson, and the Chairperson will call a meeting as soon as possible. At that point, the Secretary of Administration is not to approve the proposed action prior to presentation of the matter at a meeting of the Committee. If fewer than two members request the proposed matter to be heard by the Committee, the Secretary of Administration is deemed to have advised and consulted with the Committee and may

approve the proposed change order or change in plans.

The "comprehensive energy bill," 2009 Senate Sub. for HB 2369, required the State to establish energy-efficient performance standards for state-owned and -leased real property and for the construction of state buildings. State agencies are required to conduct energy audits at least every five years on all state-owned property, and the Secretary of Administration is prohibited from approving, renewing, or extending any building lease unless the lessor has submitted an energy audit for the building or it is not economically feasible to conduct such energy audit (KSA 75-37,128).

Each year, the Secretary of Administration is required to submit a report to the Committee that identifies properties where an excessive amount of energy is being used (KSA 75-37,128).

COMMITTEE ACTIVITIES

The LCC approved three meeting dates for the Committee during the 2023 Interim. The Committee met June 14, September 20, and December 12, 2023. During those meetings, the Committee reviewed all agency five-year capital improvement plans; received the Department of Transportation's Excess Right-of-Way Annual Report; reviewed three building sales, two land sales, and three change orders over \$125,000; received an update on construction of a building to house the Kansas Department of Health and Environment (KDHE) laboratory; and received an update on the demolition of the Docking State Office Building.

Presentation of Five-year Capital Improvement Plans

Kansas State Fair. An agency representative presented the five-year capital improvement plan and discussed the increased costs for re-purposing the Bison Arena. Other projects included the race track and interior roads at the fair grounds.

Kansas State Historical Society. An agency representative presented the five-year capital improvement plan, including the annual State General Fund (SGF) appropriation the agency receives for

emergency repairs and annual maintenance issues. Two enhancements will be requested of the Legislature, including new roofs for the Shawnee Indian Mission State Historic site and an upgrade of the air handling units and chiller at the main facility in Topeka.

Department of Labor. An agency representative presented the five-year capital improvement plan, which included renovations to the Eastman Center. The representative stated the agency is transitioning from an internal mail handling system to using central mail, and the agency will sell the building that was used for mail handling. The major projects discussed included replacement of the air conditioning, boiler replacement, new windows, tuckpointing, and replacing cast-iron pipes because of rust.

Kansas State School for the Blind. A representative from the agency sorted projects into four major sections: safety and security, HVAC, rehabilitation and repair, and renovation. Renovation projects include elevators, the gym floor, track stabilization, a dormitory remodel, and electrical upgrades.

Kansas State School for the Deaf. The agency representative discussed two supplemental requests. Due to humid weather, there was a mechanical failure allowing water to destroy computers, an elevator, and an HVAC system. The other request is for a major upgrade of the electrical system.

Department of Administration. A representative of the agency reviewed the five-year capital improvement plan for the Capitol Complex. Discussion included the Statehouse, since renovation was completed in 2014.

Department of Health and Environment Laboratory. Historically, the agency does not produce a five-year capital improvement plan because maintenance of the current laboratory falls under the Department of Administration. The agency did submit a five-year plan solely for the construction of the new laboratory. Once the new laboratory is in need of routine maintenance, the Department of Administration will cover the costs in its five-year plan.

Department of Commerce. A representative of the agency provided information on projects at the Topeka Workforce Center, which included modernization of the staff elevator, installation of a new HVAC system, and replacement of windows and doors.

Kansas Department for Aging and Disability Services. A representative from the agency presented the five-year capital improvement plan, which covered the agency and the four state mental hospitals. There was discussion on demolition of old buildings at two of the state hospitals. There was also discussion of a solar panel field at Osawatimie State Hospital being transitioned from the City to Evergy.

Judicial Branch. A representative from the agency discussed three projects, which included the library and learning center, a remodel of the Court of Appeals, and a reconfiguration of the lower level with the Judicial Council relocation.

Department for Children and Families. A representative of the agency discussed repair projects at the Topeka Service Center.

Department of Wildlife and Parks. A representative of the agency discussed maintenance of parks, public lands, fish and wildlife management areas, dams, wetlands development, boating access, shooting ranges, road and bridge maintenance, and river access. There was significant discussion on the roles of both the Department of Transportation and the Department of Wildlife and Parks on road maintenance and which agency is responsible for which roads. There was also discussion on land acquisition from private land owners and what restrictions are in statute.

Department of Transportation. Representatives for the agency provided information on the age of many buildings that need to be replaced because of access or size of equipment for road construction and maintenance. Due to larger equipment, the buildings need to be increased in size including the door height. There was also discussion on the geodesic dome-style buildings, which were cheaper to build but are more costly to maintain; therefore, this style of building is being phased out.

Kansas Bureau of Investigation. A representative of the agency provided information on the three properties in Topeka and one property in Great Bend the agency owns and maintains. They also discussed the Bureau’s collaboration with the City of Pittsburg, the Federal Bureau of Investigation, Kansas Highway Patrol, and Pittsburg State University on a new crime lab on the University’s campus.

Kansas Highway Patrol. An agency representative discussed the 12 facilities the agency owns and maintains. Repairs have been completed on the Training Center in Salina that was damaged during a wind storm in 2021. The five-year plan projects are sorted into four categories, which include the Troop J Training Academy, Troop facility, Troop I scale house, and new construction. There was discussion on a collaboration with the City of Hays for a new hangar at the Hays Regional Airport to house the agency’s two aircraft.

Adjutant General’s Department. An agency representative discussed maintenance projects in the four regions across the state. The agency is currently working on energy resilient projects, which means they can operate for 14 days in the event of a service disruption and withstand winds up to 250 mph.

Kansas Commission on Veterans Affairs Office. A representative from the agency discussed the maintenance at the veterans’ homes across Kansas. The agency representative also shared with the Committee the floor plan for the new veteran’s home to be built in Topeka.

Department of Corrections. The Secretary of Corrections presented the agency’s five-year plan and asked for an increase of the share of gaming revenue that is deposited into the Correctional Institutions Building Fund to provide increased funding for rehabilitation and maintenance of all correctional facilities.

State Board of Regents. A representative for the State Board of Regents presented its five-year plan and discussed the funding the Legislature has provided the Board for demolition of buildings at the universities and asked that this funding continue.

University of Kansas. A representative for the University of Kansas presented its five-year plan. They discussed finalization of the master plan and aligning the plan with the “Jayhawk Rising” strategic plan.

University of Kansas Medical Center. A representative for the University of Kansas Medical Center presented its five-year plan. They discussed current demolition, HVAC, and boiler projects.

Kansas State University. A representative for Kansas State University presented its five-year plan. They discussed working on multiple projects as part of the 21st Century Learning Institute.

Wichita State University. A representative for Wichita State University presented its five-year plan. They discussed a large collaboration space project and data center that were completed this year, as well as additional collaborations with private partners on new buildings.

Emporia State University. A representative for Emporia State University presented its five-year plan. They stated the Nursing School will return to a campus location. They are also updating and consolidating chillers and the power plant to gain energy efficiencies.

Pittsburg State University. A representative for Pittsburg State University presented its five-year plan. They discussed roof and HVAC projects as well as additional partner projects on campus and in downtown Pittsburg.

Fort Hays State University. A representative for Fort Hays State University presented its five-year plan. They discussed parking lot replacements, HVAC upgrades, and projects in the Forsyth Library, the Coliseum, and Stroup Hall.

Building and Land Sales

A representative from the Department of Commerce presented details of the request to sell two buildings: the Dodge City Workforce Center and the Salina Workforce Center. The buildings were sold at separate auctions with the proceeds from the sales

going back to the agency, because the buildings were originally purchased with federal funding.

A representative from the Department of Administration presented a proposed land sale of an empty lot known as “Woodston” that is currently owned by Larned State Hospital. The State has an interested buyer, and the Governor agreed to the sale in September 2023.

A representative from the Department of Administration presented a proposed building sale at 417 SW Jackson St. in Topeka, currently owned by the Department of Labor. The building is no longer needed by the agency since they are transitioning mail services, and the Governor agreed to the sale in October 2023.

A representative from the Department of Administration presented a proposed land sale located in Pueblo, Colorado. The land is currently owned by the Department for Children and Families. The land was acquired as part of a deal for child support payments sometime in 1979. The Governor agreed with the Secretary of Administration’s recommendation and approved DCF to move forward with the proposed sale on November 13, 2023.

Change Orders over \$125,000

A representative from the Department of Administration presented a change order for the Adjutant General’s Hiawatha Readiness Center to replace boilers. During the replacement process, additional problems with piping, leaks, and mold were discovered.

A representative from the Department of Administration presented a change order for the Adjutant General’s Joint Force Headquarters in Topeka. The change includes additional build-out of offices on the second floor.

A representative from the Department of Administration presented a change order for the Department of Corrections for additional work on a new water loop system to the Topeka Correctional Facility to maintain water to the facility.

Additional Presentations

Additional information on construction projects was presented to the Committee, including:

- An Adjutant General’s Department representative provided an update on the construction at the Hays Readiness Center;
- A Department of Transportation representative provided an update on the new District One Headquarters in Topeka. There was discussion on the reuse of the sunflower medallion from the current location and material from the Docking State Office Building deconstruction; and
- A Department of Administration representative provided an update and tour of the Docking State Office Building deconstruction and the Department of Health and Environment laboratory construction.

CONCLUSIONS AND RECOMMENDATIONS

All five-year capital improvement plans were reviewed and recommended by the Committee with the following additional recommendations:

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