

Report of the Joint Committee on State Building Construction to the 2025 Kansas Legislature

CHAIRPERSON: Senator Carolyn McGinn

VICE-CHAIRPERSON: Representative Leo Delperdang

RANKING MINORITY LEADER: Senator Marci Francisco

OTHER MEMBERS: Senators Rick Billinger, J.R. Claeys, and Usha Reddi; and Representatives John Alcala, Avery Anderson, Jarrod Ousley, and Bill Sutton

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.

January 2024

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Joint Committee on State Building Construction

ANNUAL REPORT

Conclusions and Recommendations

All five-year capital improvement plans were reviewed and recommended by the Committee, which requests the following:

- More accurate information regarding the Hutchinson Correctional Facility replacement, including cost and location;
- Additional information on requirements that restrict disposing of demolition materials more than twice in one location and what criteria must be met for any requested exemptions; and
- Revised expenditures and ending balances of the three building funds: Kansas Educational Building Fund, State Institutions Building Fund, and Correctional Institutions Building Fund.

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. 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 one or no members request the proposed matter 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 days for the Committee during the 2024 Interim. The Committee met October 9 and December 16 to review five-year plans, and its members toured state-owned facilities on December 17, 2024. 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; and reviewed three leases, two land sales, and ten change orders over \$125,000.

Presentation of Five-year Capital Improvement Plans

Department of Administration. A representative of the agency reviewed the five-year capital improvement plan for the Capitol Complex. Discussion topics included the Judicial Center; Cedar Crest; Statehouse; Curtis, Docking, Eisenhower, and Landon state office buildings; Memorial Hall; Myriad Building; the new laboratory for the Kansas Department of Health and Environment (KDHE); and parking lots.

Kansas Department of Health and Environment Laboratory. Historically, the agency does not produce a five-year capital

improvement plan because maintenance of the current laboratory is the responsibility of 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. The finalization of the laboratory and tour by the Committee was discussed by a representative of the Department of Administration.

Department of Labor. An agency representative presented the five-year capital improvement plan and discussed preventative maintenance at its facilities over the next five years. The major projects discussed included replacement of the air conditioning units, air handlers, boilers, windows, and exhaust fans.

Kansas Highway Patrol. An agency representative discussed the Troop J training academy projects, construction of a new aircraft hangar, and a new dispatch facility in Salina.

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. The agency was conducting a needs assessment to determine the efficiency of renovating the 1929 headquarters building or building a new facility.

Adjutant General's Department. An agency representative discussed 18 maintenance projects in the 4 regions across the state. Most of the projects are federally funded and require a state match, with a few exceptions.

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 and campus restoration at the universities. The representative asked that this funding continue.

Kansas State Fair. An agency representative presented the five-year capital improvement plan and discussed the rehabilitation and repair of the Bison Arena, race track, grandstand stage, and asphalt around the grounds and parking.

Wichita State University. A representative of Wichita State University presented its five-year

plan. Three large projects recently completed include the Welcome Center addition, the Success Center, and the remodel of the alumni center. The Wichita Biomedical Campus is under construction; it is a joint project with the University of Kansas Medical Center.

Fort Hays State University. A representative of Fort Hays State University, presenting its five-year plan, discussed the completion of Forsyth Library, the athletic complex, and the Stroup Hall addition.

Pittsburg State University. A representative of Pittsburg State University, presenting its five-year plan, discussed Block 22 is expanding downtown and stated new student housing is expected to open in fall 2026. Projects on campus include HVAC work, repairing tunnels for utility lines, and the demolition of the Shirk Complex.

Emporia State University. A representative of Emporia State University presented its five-year plan. Demolition is continuing and paves the way for a future nursing and student wellness center. Current projects include a chiller, upgrading water lines, roofing, and foundation repairs.

Kansas State University. A representative of Kansas State University presented its five-year plan. Current projects include the Innovation Center, animal science arena, and renovations to the Salina campus, and a new dairy teaching facility is planned for the future.

University of Kansas. A representative of the University of Kansas presented its five-year plan. The Evans Scholarship House was sold. Current projects include chiller plant #4 and installation of new hot water lines.

University of Kansas Medical Center. A representative of the University of Kansas Medical Center, presenting its five-year plan, discussed current demolition, HVAC, and the new Cancer Center.

Department of Corrections. The Secretary of Corrections presented the agency's five-year plan. Major projects include the new health facility at the Topeka Correctional Facility, a new work release unit, sewer line replacements, and HVAC improvements.

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. The Biddle Building renovation is complete at Osawatomi State Hospital. There was discussion on demolition at the facilities and disposal of solid waste materials. The agency is working with KDHE for exemptions from solid waste disposal requirements.

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 discussion on the Flint Hills Trail, which is 118 miles of trail from Osawatomi to Herington, crossing 6 counties, and connecting to other trail systems.

Kansas Department for Children and Families. A representative of the agency discussed repair projects at the Topeka Service Center, including repairs to the roof and parking garage.

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 Office of Veterans Services. A representative of the agency discussed maintenance at the veterans' homes across Kansas. Two current projects include a columbarium wall at the Fort Dodge facility and expansion of the veterans cemetery in Winfield.

Judicial Branch. A representative from the agency discussed two projects, which included an on-site, interactive learning center and reconfiguration of the garden level of the judicial building.

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, which the agency is asking for an increase of the funding. An update on the purchase of the Curtis House was also provided.

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.

Kansas State School for the Deaf. The agency representative discussed electrical upgrades, hazardous material abatement, and finalizing repairs and reconditioning the tunnel.

Department of Commerce. A representative of the agency provided information on projects at the Topeka Workforce Center, which included replacing doors and windows and a new roof at the Topeka Workforce Center. There are also plans to replace the roof at the Hays Workforce Center.

Building Leases and Land Sales

A representative from the Department of Administration presented a new lease for the State Board of Indigents' Defense Services Kansas City office. The new lease includes 14,000 square feet at a rate of \$22.50 per square foot.

A representative from the Department of Administration presented a new lease for the State board of Indigents' Defense Services Hutchinson office. The new lease is for 5,739 square feet at a rate of \$12.00 per square foot.

A representative from the Department of Administration presented a new lease for the Department for Aging and Disability Services office in Wichita. The new lease includes 10,570 square feet at a rate of \$13.50 per square foot.

A representative from the Kansas State Fair proposed to sell two surplus properties currently owned by the agency. The properties are residential and were originally purchased in 2005 and 2015 to be torn down and the land converted to a parking lot. The project was never done and

the properties were deemed surplus by the State. The properties were appraised and put up for sale.

Change Orders over \$125,000

A representative of the Department of Administration presented a change order for the Kansas Department of Corrections for the industrial building at the Topeka Correctional Facility. The change order in the amount of \$845,135 is for reinclusion of the tenant fit-out, which was in the original scope but had been removed.

A representative of the Department of Administration presented a change order for the Department of Corrections for the industrial building at the Topeka Correctional Facility. The change order is for replacement of a water line.

A representative from the Department of Administration presented two change orders for the Kansas National Guard at the National Guard/Reserve Center building at Forbes Field in Topeka. The first change order is to add an option for a patio on the north side and additional data outlets at the G1 Med fit-out area. The second change order is to add landscaping and additional lockers at the G1 Med fit-out area.

A representative of the Department of Administration presented a change order for the Department of Corrections Topeka Correctional Facility for a new permanent parking lot to replace parking the current construction will remove.

The following change orders were reviewed and the Secretary of Administrative deemed to have advised and consulted the Committee pursuant to KSA 75-1264(d):

- A representative of the Department of Administration presented a change order for Emporia State University for a change in supplier and materials for electrochromatic glass at the Nursing and Student Wellness Center;

- A representative of the Department of Administration presented a change order for the Kansas National Guard facility at Fort Riley for remediation of window glazing that contains asbestos and replacement of broken window panes;
- A representative of the Department of Administration presented a change order for the Kansas Department for Aging and Disability Services at the Kansas Neurological Institute for replacement of damaged roof; and
- A representative of the Department of Administration presented a change order for Wichita State University. Additional excavation is necessary at the National Institute for Aviation Research Hub based on unforeseen soil conditions. The change order is for an additional \$172,031.

CONCLUSIONS AND RECOMMENDATIONS

All five-year capital improvement plans were reviewed and recommended by the Committee, which also requests the following:

- More accurate information regarding the Hutchinson Correctional Facility replacement, including cost and location;
- Additional information on requirements that restrict disposing of demolition materials more than twice in one location and what criteria must be met for any requested exemptions; and
- Revised expenditures and ending balances of the three building funds: Kansas Educational Building Fund, State Institutions Building Fund, and Correctional Institutions Building Fund.