## SENATE BILL No. 148

## By Committee on Education

2-11

AN ACT concerning public construction contracts; relating to fairness in requests for proposals for school district facility construction or repair.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) A request for proposal by a board of education of a school district for a facility construction, reconstruction, remodeling or repair, or for materials, goods or wares required for the constructing, reconstructing, remodeling or repairing, may specify a particular product, or a particular installation method for a product, provided that the request for proposal does not require:

- (1) A proprietary product or proprietary installation method; or
- (2) approval by an architect or engineering consultant, school district employee or the board that a proposed product or the installation method for a product constitutes the equivalent of a proprietary product or a proprietary installation method.
- (b) If a particular product, or a particular installation method for a product, is specified in a request for proposal advertised by a board of education of a school district, a bid shall not be accepted until the product or the installation method specified, or a product or installation method recognized by the respective industry as substantially similar, has been proposed by at least three bidders.
- Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.