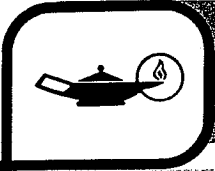


**KANSAS  
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Testimony before the  
**Senate Committee on Ethics, Elections and Local Government**  
on  
**SB 150 – Contract Bid Specifications**

by  
**Mark Tallman, Associate Executive Director**  
Kansas Association of School Boards

**March 7, 2013**

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify on **SB 150** on behalf of the Kansas Association of School Boards. This bill applies to states and municipalities (which includes school districts) and bids for any contract for the erection, construction, alteration or repair of any public building or the purchase of goods, merchandise, materials supplies or equipment. KASB opposes this bill based on two areas of concern:

1. The language states “the specifications shall not be used to favor any specific product or manufacturer by setting unreasonable requirements.” The language “unreasonable requirements” is vague. Who will decide what is “unreasonable?” This standard will result in more bid challenges or require more administrative time to go back and rebid projects, purchases.

2. In lines 10-13 the language states “Bidders shall not be disqualified from contract consideration by providing or using materials that are recognized as adequate and acceptable by competent authorities in the industry.” Who determines the “competent authorities in the industry?” What if authorities differ?

Under current law, (K.S.A. 72- 6760), the standard for school boards is that the decision must be based on the “lowest, responsible bidder.” The current language allows boards to consider quality, service, and other factors to get the best value for the money.

KASB believes the language in **SB 150** may result in more bid challenges and administrative inefficiencies, and is not helpful.

Thank you for your consideration.