

**75-1262. Construction administration services include primary inspection duties; inspection by user agency and secretary of administration; final inspection and official acceptance; occupation of project; post-acceptance inspections; use of other political subdivision inspection services.** (a) In performing the construction administration services described in K.S.A. 75-1260, and amendments thereto, the project architect, engineer or land surveyor or, if there is no project architect, engineer or land surveyor, the secretary of administration or the agency architect, engineer or land surveyor as provided in K.S.A. 75-1254, and amendments thereto, shall have primary responsibility to determine if the progress and quality of the work of the project is in accordance with the contract documents. The state agency for which the project is being constructed may perform and the secretary of administration shall perform periodic inspection of the construction project. In no case shall such inspections by the state agency or the secretary of administration relieve the project architect, engineer or land surveyor of any part of its authority or responsibility to perform all construction administration services as described in K.S.A. 75-1260, and amendments thereto.

(b) When the project architect, engineer or land surveyor or, if there is no project architect, engineer or land surveyor, the secretary of administration or the agency architect, engineer or land surveyor as provided in K.S.A. 75-1254, and amendments thereto, determines that a project has been satisfactorily completed, such project architect, engineer or land surveyor, secretary or agency architect, engineer or land surveyor shall make that determination and shall send a notice of such determination to the state agency for which the project was completed and to the secretary of administration. The final inspection of the project shall be conducted jointly by the project architect, engineer or land surveyor, if there is one, the state agency and the secretary of administration.

(c) The results of such final inspection shall be reported to the secretary of administration. Upon determining that the project has been satisfactorily completed, based on the recommendations of the project architect, engineer or land surveyor, if there is one, and the state agency and on other information, the secretary of administration shall officially accept the project as satisfactorily complete and thereby authorize the state agency for which the project was completed to occupy and make use of the project. No state agency shall occupy or make use of any building or portion thereof which has been constructed, or any areas of a building which were repaired or improved, until the project therefor has been officially accepted as provided in this section, except that an agency may occupy all or any area of any such building for which the contractor has agreed in writing to complete and correct all work for the project in accordance with the contract documents within a time specified after the date of such occupancy.

(d) Within nine months after official acceptance of a project, the state agency for which the project was completed and the secretary of administration shall conduct a full inspection of the completed project and shall promptly notify the appropriate contractor of any claims resulting therefrom.

(e) In performing the inspection services pursuant to this section, the secretary of administration, with the concurrence of the state agency that owns the property, may use inspection services of the city, township, county or other political subdivision in which the project is located, in accordance with K.S.A. 75-3741c, and amendments thereto.

**History:** L. 1978, ch. 337, § 25; L. 1979, ch. 280, § 17; L. 2003, ch. 92, § 1; L. 2008, ch. 130, § 11; July 1.