

HOUSE BILL No. 2493

By Representatives Johnson, Buehler, Neelly and Proctor

1-11

1 AN ACT concerning water; relating to rural water districts; requiring rural
2 water districts to award contracts in excess of \$25,000 through a public
3 letting process; creating exemptions therefor.
4

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

6 Section 1. (a) All contracts for the expenditure of district moneys in
7 excess of \$25,000 for the construction, installation or replacement of
8 district facilities, water lines, pump stations or buildings shall be awarded
9 using a public letting process to the lowest and best bid.

10 (b) Not less than 20 days before awarding any contract for
11 improvement projects described in subsection (a), the district shall publish
12 notice of the letting in a newspaper of general circulation in the county
13 where the district is organized. If there is no newspaper of general
14 circulation in the county, such district shall post written or printed notices
15 in at least three conspicuous places in the service area of the district for the
16 same length of time. Such notice shall describe in reasonable detail the
17 specifications of the planned improvement project, provide the time and
18 place that the contract will be awarded and invite sealed proposals for such
19 project. Such other notice may be given as the board may deem necessary
20 or proper.

21 (c) The person, firm or corporation to whom the contract may be
22 awarded shall give and file with the district a good and sufficient surety
23 bond by a surety company authorized to do business in the state of Kansas.
24 Such surety bond shall be approved by the attorney for the district in the
25 amount of the contract and conditioned on the faithful performance of the
26 contract.

27 (d) The provisions of subsection (a) shall not apply to:

28 (1) Expenditures of district moneys for professional services;

29 (2) purchases of insurance contracts; or

30 (3) repairs or replacements of any facilities, water lines, pump
31 stations or buildings when an emergency based upon public health or
32 safety is declared by the district board. For purposes of this paragraph,
33 "emergency" means an occurrence of severe damage to any property of the
34 district resulting from any natural or manmade cause.

35 (e) The provisions of this section shall be a part of and supplemental
36 to K.S.A. 82a-612 et seq., and amendments thereto.

1 Sec. 2. This act shall take effect and be in force from and after its
2 publication in the statute book.