# Kansas Register

Vol. 40, No. 1 January 7, 2021 Pages 1-24



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Tom Day, Director

Legislative Administrative Services

#### State of Kansas

#### Legislative Administrative Services

#### **Interim Committee Schedule**

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email <a href="mailto:legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislative-legislativ

Date	Room	Time	Committee	Agenda
Jan. 8	582-N	8:00 a.m.	Joint Committee on Special Claims Against the State	Review of claims against the state.
Jan. 8	112-N	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Rules and regulations of the State Bank Commissioner, Real Estate Commission, Department of Agriculture, Secretary of State, Board of Healing Arts, Department of Health and Environment

Doc. No. 048743

State of Kansas

#### **Pooled Money Investment Board**

#### **Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

Effective 1-4-21 through 1-10-21		
Term	Rate	
1-89 days	0.09%	
3 months	0.05%	
6 months	0.08%	
12 months	0.09%	
18 months	0.11%	
2 years	0.11%	

Scott Miller Director of Investments

Doc. No. 048737

#### State of Kansas

#### **Secretary of State**

#### Code Mortgage Rate for January

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of January 1-31, 2021, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab Secretary of State State of Kansas

#### Wichita State University

#### Notice of Intent to Lease Land and/or Building Space

Beginning Publication Date: Vol. 39, No. 43, October 22, 2020 Ending Publication Date: Vol. 40, No. 4, January 28, 2021

Public notice is hereby given that Wichita State University intends to lease available land and building space located on WSU's main campus, WSU's Innovation Campus and on property owned by WSU adjacent to the main campus on 17th and Hillside streets. The university will consider leasing such property and/or space to those whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good, or otherwise provide supporting services and amenities to the campus community. Such projects could include, but not be limited to: (1) development of a partnership building to provide office and/ or laboratory space to support education and research, advance innovation, foster microenterprises, and/or lease to industry partnerships in any market that aligns with University programs; (2) child care facilities; (3) adult living and retirement facilities; (4) restaurants; (5) retail, grocery, or pharmacy establishments; (6) financial institutions; (7) event and/or performance center; and (8) parking garage. Because tenant development and/or use must be a good fit with the university's educational mission and available space, please be prepared to provide the following information: (1) name; (2) square footage of space needs and desired lease term and location; (3) equipment, design, or other special needs; (4) description of anticipated use; and (5) the anticipated benefits to the (continued)

Doc. No. 048742

university, its students and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). Additional information such as renderings, architectural and design plans, project timeline, and subcontractor list is encouraged. The university will consider serious proposals and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Wichita State University Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman University Property Manager Office of the Vice President for Administration and Finance Wichita State University

Doc. No. 048611

#### State of Kansas

### **Historical Society**

#### **Notice of Meeting**

The Kansas State Historical Society will accept public comments regarding the 2021 round of Heritage Trust Fund grants from 9:00 a.m. to 10:00 a.m. Friday, February 5, 2021. Grant applicants and members of the public are welcome to comment about particular grant applications or the program in general to the grant review committee at that time. The public meeting will be held via Zoom hosted by the Kansas Historical Society in Topeka, Kansas. The link will be posted on our website 14 days before the meeting and can be found at https://www.kshs.org/14617.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other impairment and wish to participate in this meeting, please contact the Cultural Resources Division of the Kansas State Historical Society, 6425 SW 6th Ave., Topeka, KS 66615-1099 or by telephone at 785-272-8681, ext. 240, to discuss how we can ensure your participation.

Jennie Chinn Executive Director

Doc. No. 048739

#### State of Kansas

#### Historic Sites Board of Review

#### **Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9:00 a.m. Saturday, February 6, 2021, via Zoom hosted by the Kansas Historical Society in Topeka, Kansas. Please note, the Kansas Historical Society is taking extra steps to keep the public, staff members, and their families safe. We invite you to attend the meeting virtually or by phone. The link will be posted on our website 14 days before the meeting and can be found at https://www.kshs.org/14633.

The Board will consider the following items:

Approval of minutes of November 7, 2020 meeting

- Heritage Trust Fund committee report
- Consideration of National Register Nominations (\* denotes properties within a Certified Local Government boundary)
  - A.J. Harwi Hardware Company Building Atchison, Atchison County
  - Edgar W. Howe House (Potato Hill) Atchison, Atchison County
  - Washington Grade School Hays, Ellis County
  - Cowley County National Bank Building Winfield, Cowley County
  - Zimmerman Steel Company Lawrence, Douglas County\*
  - Anton Pearson House & Studio Lindsborg, McPherson County
  - Miami County Mercantile Company Paola, Miami County
  - Garvey Center Wichita, Sedgwick County\*
  - Evergreen Court Apartments Topeka, Shawnee County\*
  - Mid-Century Modern Non-single Family Residential Architecture in Topeka, 1945-1975 Topeka, Shawnee County (multiple property context)
  - HTK Architect Office Building (Mid-Century Modern MPDF) – Topeka, Shawnee County\*
  - Park Plaza Apartments (Mid-Century Modern MPDF) – Topeka, Shawnee County\*
- Consideration of State Register Nominations
  - Gill School District 33 Dexter, Logan County

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other impairment and wish to participate in this meeting, please contact the Cultural Resources Division of the Kansas State Historical Society, 6425 SW 6th Ave., Topeka, KS 66615-1099 or by telephone at 785-272-8681, ext. 240, at least two weeks prior to the meeting to discuss how we can ensure your participation.

Jennie Chinn Executive Director

Doc. No. 048738

#### State of Kansas

#### **Board of Regents Universities**

#### **Notice to Bidders**

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: https://www.emporia.edu/about-emporia-state-university/business-office/purchasing/. Additional contact info: phone: 620-

341-5134, fax: 620-341-6770, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: http://www.fhsu.edu/purchasing/bids/. Additional contact info: phone: 785- 628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University – Bid postings: https://www.k-state.edu/purchasing/rfq. Due to Covid-19, Kansas State University will not be accepting paper bids until further notice. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu.

Pittsburg State University – Bid postings: https://www.pittstate.edu/office/purchasing/. Additional contact info: phone: 620-235-4169, email: bstefanoni@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

University of Kansas – Electronic bid postings: http://www.procurement.ku.edu/. Due to Covid-19, the University of Kansas will not be accepting paper bids until further notice. KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: http://www.kumc.edu/finance/purchasing/bid-opportunities.html. Additional contact info: phone: 913-588-1117. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: http://www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Debbie Redeker Chair of Regents Purchasing Group Purchasing Director Emporia State University

Doc. No. 048393

#### State of Kansas

## Department of Administration Office of Procurement and Contracts

#### Notice to Bidders

Sealed bids for items listed will be received by the Director of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376:

01/20/2021	EVT0007772	Dump Trucks
01/25/2021	EVT0007751	Agricultural Se

EVT0007751 Agricultural Services – Hollister

Wildlife Area

01/28/2021 EVT0007776 Cable Television Services

01/29/2021	EVT0007778	Laboratory Services
02/03/2021	EVT0007780	CDL Testing Locations
02/04/2021	EVT0007786	Janitorial Services – Salina
02/18/2021	EVT0007763	Dental Administration Services
02/19/2021	EVT0007764	Vision Services

The above referenced bid documents can be downloaded at the following website:

http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations

## There are No Bids Under this Website Closing in this Week's Ad

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or http://admin.ks.gov/offices/ofpm/dcc.

Richard Beattie, Director Office of Procurement and Contracts

Doc. No. 048746

#### **State of Kansas**

#### Department of Revenue Division of Property Valuation

#### Directive No. 20-001 Mobile and Manufactured Home Classification

This directive is adopted pursuant to the provisions of K.S.A. 79-505(a), and shall take effect and be in force from and after the Director's approval date.

#### Subiec

This directive analyzes the classification of mobile and manufactured homes as personal or real property for purposes of K.S.A. 79-340 and the elimination of title provisions of K.S.A. 58-4214.

#### **Summary**

K.S.A. 79-340 provides that for property tax purposes, a mobile or manufactured home is personal property *unless*:

1. The title to the mobile or manufactured home is vested in the same person or the spouse of such person who holds title to the real property upon which such mobile or manufactured home is located.

**AND** 

2. Such mobile or manufactured home has a permanent foundation, such foundation being of a type not removable intact from such real property.

For purposes of K.S.A. 79-340, a permanent foundation "...must be constructed of durable materials; *i.e.* concrete, mortared masonry, or treated wood – and be site built."<sup>1</sup>, designed as a continuous wall (whether bearing or non-bearing) around the perimeter of the mobile or manufactured home.

(continued)

#### **Analysis**

The foregoing criteria governs the classification of mobile and manufactured homes for purposes of property taxation as either personal or real property.

K.S.A. 58-4214 of the Kansas Manufactured Housing Act provides in pertinent part as follows:

Whenever a manufactured home or mobile home is permanently affixed to real property, by placement upon a permanent foundation of a type not removable intact from such real property, the manufactured home or mobile home shall be considered for all purposes an improvement to real property, if the certificate of title which has been issued or is required to be issued for such manufactured home or mobile home pursuant to K.S.A. 58-4204, and amendments thereto, is eliminated pursuant to this section. (Emphasis added.)

As in K.S.A. 79-340, K.S.A. 58-4214 references permanent foundation; however, elimination of title is not a requirement of K.S.A. 79-340. To be clear, K.S.A. 79-340 does not require the elimination of title for a mobile home or manufactured home to be considered real property for purposes of property taxation. It does, however, reinforce the importance of county appraisers' consistent use of the definition of a permanent foundation.

Within the uniform standards code for mobile homes and recreational vehicles is an illustration of the different ways in which a mobile home or manufactured home can be attached to the ground. It clearly makes a differentiation between a permanent foundation and other types of attachments. Tie downs, ground anchors, and piers are necessary to attach a mobile or manufactured home to the ground, but the statutory definition of a real property mobile or manufactured home for tax purposes relies on a permanent foundation. K.S.A. 75-1227(a) provides in pertinent part:

Except [for provisions not relevant to this illustration] any mobile home which is occupied or inhabited by any person as a dwelling, office or commercial space shall be secured to the ground by tiedowns and ground anchors, of a type which has been approved by the secretary pursuant to K.S.A. 75-1229, unless such mobile home is secured to the ground on a permanent foundation. Any such mobile home which is not secured to a permanent foundation shall be placed upon piers in the manner prescribed by this act. (Emphasis added.)

Earlier this year, the director of motor vehicles revised Form TR-63, which is used for the elimination of titles for mobile or manufactured homes. These revisions sought to address overlapping determinations within counties, *e.g.* code enforcement, zoning and appraisal, with the overall goal of improving consistency between counties in determining when a mobile or manufactured home is to be considered real property. These revisions were <u>not</u> intended to change the county appraiser's responsibility to apply the provisions of K.S.A. 79-340 to a mobile or manufactured home when determining whether it is personal or real property for purposes of property taxation. However, the county should use the same definition of "a permanent foundation, such foundation being of a

type not removeable intact from such real property" for both property tax and title elimination provisions.

This updated version of TR-63 allows the county planning and zoning or county code enforcement official or the county appraiser to sign and date that they certify that the mobile or manufactured home does or does not have a permanent foundation. The county has discretion on which county official will sign-off on Form TR-63. No special training or certification is necessary for the official signing the title elimination form.

In most counties, it is the county appraiser that determines whether a mobile or manufactured home is real property. In other counties, it is often a zoning/code compliance administrator along with the county appraiser that determines whether a permanent foundation complies with the county's building/zoning codes. For counties with a compliance administrator, it is logical that whoever makes the final determination for county code compliance for a permanent foundation should sign the TR-63. Again, consistency for the determination of a permanent foundation should be the goal of all county offices involved in this decision.

Approved December 30, 2020.

<sup>1</sup> Source: The U.S. Department of Housing and Urban Development (HUD) publication, *Permanent Foundations Guide for Manufactured Housing*. See https://www.huduser.gov/portal/publications/destech/perm found.html (last visited December 30, 2020).

David N. Harper, Director Division of Property Valuation

Doc. No. 048748

#### State of Kansas

#### Department of Health and Environment

## Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. R.D. Henry & Company has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

R.D. Henry & Company, 3738 S. Norman, Wichita, KS 67215, owns and operates a wood kitchen cabinet and countertop manufacturing facility located at 3738 S. Norman, Wichita, KS 67215.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202. To obtain or review the proposed permit and supporting documen-

tation, contact Rumela Bhadra, 785-296-6024, at the central office of the KDHE or Amanda Smyth, 316-337-6030 or 316-337-6020, at the South Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, http://www.kdheks.gov/bar/publicnotice.html.

Please direct written comments or questions regarding the proposed permit to Rumela Bhadra, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, February 8, 2021.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Rumela Bhadra, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, February 8, 2021 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Lee A. Norman, M.D. Secretary

Doc. No. 048744

#### **State of Kansas**

#### Department of Health and Environment

## Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. LTA II Manufacturing, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source;

and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

LTA Îl Manufacturing, LLC, 801 E. North St., Ottawa, KS 66067, owns and operates a travel trailer and camper manufacturing facility located at 801 E. North St., Ottawa, KS 66067.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Northeast District Office, 800 W. 24th St., Lawrence, KS 66046. To obtain or review the proposed permit and supporting documentation, contact Allan Ddamulira, 785-296-6024, at the central office of the KDHE or Pat Simpson, 785-330-8611, at the Northeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, http://www.kdheks.gov/bar/publicnotice.html.

Please direct written comments or questions regarding the proposed permit to Allan Ddamulira, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, February 8, 2021.

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Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Lee A. Norman, M.D. Secretary

Doc. No. 048747

#### State of Kansas

#### Department of Health and Environment

#### Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

#### Public Notice No. KS-AG-21-001/010

#### **Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
High Plains Ponderosa Dairy, LLC Greg Bethard 2042 Road V Plains, KS 67869	All of Section 18 T33S, R30W Meade County	Cimarron River Basin

Kansas Permit No. A-CIME-D001 Federal Permit No. KS0096474

This permit is being reissued for an expanding confined feeding facility increasing head to 28,000 head (39,200 animal units) of mature dairy cattle, 20,027 head (20,027 animal units) of dairy cattle weighing more than 700 pounds and 11,545 head (5,773 animal units) of dairy cattle weighing less than 700 pounds for a total of 59,572 head (65,000 animal units) of dairy cattle. The proposed modifications also include three freestall barns, one milk parlor, silage pads and feed storage areas, a manure digester system, two new sediment basins, and two additional waste storage structures. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Melton Ranch Doug Melton	SW/4 of Section 29 T07S, R16W	Solomon River Basin
1140 26th Terr.	Rooks County	
Woodston, KS 67675	-	

Kansas Permit No. A-SORO-B012

The proposed action is to modify and reissue the existing state permit for a facility for a maximum capacity of 900 head (450 animal units) of beef cattle weighing less than 700 pounds and increasing by adding 10 head (20 animal units) of horses, for a total capacity of 470 animal units. This represents an increase in the permitted animal units from the previous permit. No other changes to the operation of the facility are proposed at this time. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Ochampaugh Farms James Ochampaugh 2380 R Rd. Plainville, KS 67663	SE/4 of Section 26 T08S, R17W Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B009

This is a renewal permit for an existing facility with a maximum capacity of 200 head (200 animal units) of cattle more than 700 pounds. There has been no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Lynn Rock 1669 1300 Ave. Hope, KS 67451	SE/4 of Section 34 T14S, R03E Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B011

This is a renewal permit for an existing facility with a maximum capacity for 850 head (425 animal units) of cattle weighing less than 700 pounds. This in an increase in animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Steven Cox 1476 K-383 Hwy.	SW/4 of Section 13 T01S, R20W	Upper Republican River Basin
Long Island, KS 67647	Phillips County	raver busin

Kansas Permit No. A-URPL-S007

This is a renewal permit for an existing facility with a maximum capacity of 1,600 head (640 animal units) of swine more than 55 pounds. There has been no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Brooks Farm, Inc. 16646 Road W 13 Norton, KS 67654	SE/4 of Section 29 T03S, R25W Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-B002

This is a renewal permit for an existing facility with the maximum capacity of 999 head (999 animal units) of cattle weighing more than 700 pounds. There has been no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Spring Creek Ranch Donald Lowry 21884 K-383 Hwy. Almena, KS 67622	NW/4 of Section 35 T02S, R22W Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-B003

This is a renewal permit for an existing facility with a maximum capacity of 600 head (600 animal units) of cattle more than 700 pounds. There has been no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water		
Kimco Farms, Inc. Kim A. Holle 676 Harvest Rd. Marysville, KS 66508	SE/4 of Section 12 T02S, R06E Marshall County	Big Blue River Basin		

Kansas Permit No. A-BBMS-S047

This is a renewal permit for an existing facility with a maximum capacity of 1,200 head (480 animal units) of swine more than 55 pounds, 600 head (60 animal units) of swine 55 pounds or less, 30 head (30 animal units) of cattle more than 700 pounds and 30 head (15 animal units) of cattle 700 pounds or less, for a total of 585 animal units of swine and cattle. There has been no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
JCal-Ann Farms, Inc. Jeffery C. Meyer 14253 Leavenworth Rd. Basehor, KS 66007	NE/4 of Section 36 T10S, R22E Leavenworth County	Kansas River Basin

Kansas Permit No. A-KSLV-E001

This is a permit renewal for an existing facility for the maximum capacity of 6,000 fish. There has been no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Morrison Dairy Farm Eldon Morrison 16340 W. 207th Spring Hill, KS 66083	SW/4 of Section 8 T15S, R24E Johnson County	Marais des Cygnes River Basin

Kansas Permit No. A-MCJO-B001

This is a renewal permit for an existing confined animal feeding facility for 35 head (35 animal units) of beef cattle weighing more than 700 pounds and 35 head (17.5 animal units) of beef cattle weighing less than 700 pounds; for a total of 52.5 animal units of cattle. There has been no change in animal units from the previous permit.

#### Public Notice No. KS-Q-21-001

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Tamko Building Products, LLC 1598 N. US-183 Hwy. Phillipsburg, KS 67661	Solomon River via Deer Creek via Drainage Ditch	Process Wastewater

Kansas Permit No. I-SO31-PO01 Federal Permit No. KS0001392

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures asphalt fiberglass-based shingles and asphalt saturated roofing felt. Water for the facility is provided by the City of Phillipsburg Municipal Water Supply System. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, oil and grease, and total residual chlorine, as well as monitoring for flow, chloride, phosphorus, arsenic, sulfate, and selenium.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

All comments regarding the draft documents or application notices received on or before February 6, 2021, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-21-001/010, KS-Q-21-001) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <a href="http://www.kdheks.gov/feedlots">http://www.kdheks.gov/feedlots</a>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Lee A. Norman, M.D. Secretary

Doc. No. 048745

#### State of Kansas

#### **Department of Transportation**

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for projects 70-81 KA 5919-01 and 70-99 KA 5920-01 which are state tied. Both projects are on I-70 in Riley and Wabaunsee Counties. Project 70-81 KA 5919-01 begins at the Geary/Riley County line then east to the Wabaunsee/Riley County line. Project 70-99 KA 5920-01 begins at the Wabaunsee/Riley County line then east to the end of concrete east of K-30/I-70/Windy Hill Road interchange.

#### Schedule/Deadline

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 15, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about January 27, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 10, 2021. An agreement should be in place on or about March 1, 2021. The contractor is expected to start the project in March-May of 2021.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing (continued)

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needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. Submit the name and information of the project manager. Construction is anticipated to be completed within 75-working days and cleanup days total for both projects. Provide all the equipment necessary to inspect and test materials.

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page Technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- 2. Employee names (project manager and HMA plant inspector), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork.;
- 5. Proximity of inspectors to project;
- Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048732

#### State of Kansas

#### Department of Transportation

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a Consultant to provide construction inspection services for project 169-106 KA 3255-01. The project is located on US-169 in Allen and Neosho Counties. US-169 from about 3 miles north of the US-169/K-47 junction, north to 1.7 miles north of the Neosho/Allen County line.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 15, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about January 27, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 10, 2021. An agreement should be in place on or about March 1, 2021. The contractor is expected to start the project the beginning of March 2021.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes concrete, pavement patching, bridges, HMA, HMA plant, RCB, underdrains, seeding, erosion control, SWPPP, Traffic control, grading, subgrade/base, pipes, PCCP pavement, PCCP plant, guardrail, network schedule, CMS or AAS-HTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager and three supplemental inspectors. Construction is anticipated to start in March 2021 and to be completed by December 2022. Work may be suspended for the winters and resume in springs. Provide all the equipment necessary to inspect and test materials. KDOT will provide a co-project manager. For training purposes, KDOT may supply at times, some new inspectors.

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- 2. Employee names (project manager and three main inspectors), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork.;
- 5. Proximity of inspectors to project;
- 6. Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked

firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

> David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048733

#### State of Kansas

#### Department of Transportation

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for project 50-9 KA 5887-01. The project is mill and overlay on US-50 in Chase County. US-50 beginning at the Marion/Chase county line then northeast 8.8 miles and from the Simmons Creek Bridge (065) east to approximately 1,200 feet west of the west US-50/ K-177 junction.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 15, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about February 10, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 24, 2021. An agreement should be in place on or about April 1, 2021. Project will be built in 2021. The contractor is expected to start the project around May to July, this date could move based on contractor's schedule.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes HMA roadway, HMA plant, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to en-

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sure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager and HMA plant inspector. Construction is anticipated to be completed in 60-working days and cleanup days. Provide all the equipment necessary to inspect and test materials.

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Aváilability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- 2. Employee names (project manager and HMA plant inspector ), certifications and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork;
- 5. Proximity of inspectors to project;
- 6. Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048734

#### State of Kansas

#### Department of Transportation

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for project 70-98 KA 5686-01. The project on I-70 and is for repairs of Bridge #002 located 2.02 miles east of Gove/Trego County line in Trego County.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 15, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about January 27, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 10, 2021. An agreement should be in place on or about March 1, 2021. The contractor is expected to start the project in early April of 2021.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes concrete, bridge repair, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager. Construction is anticipated to be completed in 90-working days and cleanup days. Provide all the equipment necessary to inspect and test materials.

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- 2. Employee names (project manager), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork;
- 5. Proximity of inspectors to project;
- Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")

 Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048735

#### **State of Kansas**

#### **Department of Transportation**

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a Consultant to provide construction inspection services for project 4-106 KA 5871-01. The project is mill and overlay on K-4 in Dickinson and Morris Counties. K-4 in Dickinson County beginning at junction K-4/US-77 then east to the Dickinson/Morris County line. K-4 in Morris County beginning at the Dickinson/Morris County line then northeast to south junction K-4/K-177.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 15, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about January 27, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 10, 2021. An agreement should be in place on or about March 1, 2021. Project will be built in 2021. The contractor is expected to start the project around the beginning of April 2021, this date could move based on contractor's schedule.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes HMA roadway, HMA Plant, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager and HMA plant inspector. Construction is anticipated

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to be completed in 60-working days and cleanup days. Provide all the equipment necessary to inspect and test materials.

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- Employee names (project manager and HMA plant inspector), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork;
- 5. Proximity of inspectors to project;
- Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

Special Attachment No. 7 ("Certificate of Final Indirect Costs")

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048736

#### State of Kansas

#### **Department of Transportation**

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for project 156-05 KA 5811-01. The project is mill and overlay on K-156 in Barton County. K-156 in Barton County beginning at east junction K-156/US-56 then northeast to the Barton/Ellsworth County line.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 22, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about February 10, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 24, 2021. An agreement should be in place on or about March 18, 2021. Project will be built in 2021. The contractor is expected to start the project around May-July 2021, this date could move based on contractor's schedule.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes HMA roadway, HMA plant, pavement marking, traffic control, CMS or AASHTOWare data entry, all Project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager and HMA plant inspector. Construction is anticipated to be completed in 55-working days and cleanup days. Provide all the equipment necessary to inspect and test materials.

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- Employee names (Project manager and HMA plant inspector), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork;
- 5. Proximity of inspectors to project;
- 6. Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")

 Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048752

#### **State of Kansas**

#### **Department of Transportation**

#### **Notice to Consulting Firms**

#### **Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for project 4-80 KA 5808-01. The project is mill and overlay on K-4 in Rice County. K-4 in Rice County beginning at the Barton/Rice County line then east to the Ellsworth/Rice County line.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) January 22, 2021, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about February 10, 2021, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about February 24, 2021. An agreement should be in place on or about March 18, 2021. Project will be built in 2021. The contractor is expected to start the project around May-July 2021, this date could move based on contractor's schedule.

#### Scope of Services to be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes HMA roadway, HMA plant, pavement marking, traffic control, CMS or AASHTOWare data entry, all Project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the contractor's schedule and how they pursue the work. Submit the name and information of the project manager and HMA plant inspector. Construction is anticipated to be completed in 45-working days and cleanup days. Provide all the equipment necessary to inspect and test materials.

(continued)

#### **Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the technical proposal and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page technical proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT standards and specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project
- Anticipated time to close out project paperwork

#### **Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

- 1. How the consultant plans to meet the fluctuating inspection needs of the project;
- Employee names (project manager and HMA plant inspector), certifications, and qualifications proposed for services;
- 3. Past performance history on similar projects (list project numbers) for KDOT;
- 4. Anticipated time to close out project paperwork;
- 5. Proximity of inspectors to project;
- 6. Types of direct expenses anticipated (lodging, mileage, etc.).

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### **Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")

• Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

#### **Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and Special Attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for proposals shall be sent via email to kdot.designcontracts@ks.gov.

David Lutgen, P.E. Division of Engineering and Design

Doc. No. 048753

#### State of Kansas

#### Office of the Governor

Executive Order No. 20-71
Temporary Relief from Certain
Unemployment Insurance Requirements
During State of Disaster Emergency

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19-with effects of illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 18,170,000 cases of the illness and more than 321,000 deaths as a result of the illness across the United States;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020, and the State Finance Council has extended the state of disaster emergency to January 10, 2021;

WHEREAS, as of this date, there have been over 209,689 positive cases of COVID-19 in Kansas, spread among all 105 counties and 2,507 deaths as a result of the illness;

WHEREAS, economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of Kansas, as expressed in K.S.A. 44-702 of the Kansas Employment Security Law;

WHEREAS, federal efforts to address unemployment caused by the COVID-19 pandemic have included, and based on recent action by Congress are likely to continue to include, federal funding for certain unemployment benefits such as benefits to be paid during what would otherwise be deemed a "waiting week" period;

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times, including providing relief that will help avoid immediate danger to the health, safety, and welfare of Kansans by providing greater access to state unemployment benefits.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A. 48-924 and K.S.A. 48-925(b), (c)(1), and (c)(11), in order to mitigate the effects of COVID-19, I hereby direct and order the following:

1. The waiting week requirement for unemployment benefits, provided for in K.S.A. 44-705(d), is temporarily waived for all claimants.

This document shall be filed with the Secretary of State as Executive Order 20-71. It shall become effective immediately and remain in force until rescinded or until the statewide State of Disaster Emergency extended by House Bill 2016 enacted during the June 2020 special session relating to COVID-19—and later extended by the State Finance Council—expires, whichever is earlier.

Dated December 23, 2020.

Laura Kelly Governor

Doc. No. 048741

#### State of Kansas

#### Office of the Governor

Executive Order No. 20-72
Extending Conditional and Temporary Relief
from Certain Motor Carrier Rules and Regulations
During State of Disaster Emergency

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis of economic insecurity resulting from a rapid increase in unemployment and lost wages;

WHEREAS, economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of Kansas, as expressed in K.S.A 44-702 of the Kansas Employment Security Law;

WHEREAS, the economic recovery of Kansas is imperiled by the imminent threat of surges in COVID-19 infections in the State of Kansas as statewide restrictions on businesses and individual movement and gatherings are lifted—since May 15, 2020, fifteen counties in the State have for the first time issued an emergency declaration resulting from the pandemic, indicating a further threat to the State's economic recovery.

WHEREAS, on September 17, 2020, I executed Executive Order 20-65, extending conditional and temporary relief from certain motor carrier rules and regulations in response to the COVID-19 Pandemic, and the justifications for that Order and its predecessor orders are fully set forth therein and incorporated herein by reference;

WHEREAS, on December 1, 2020, the Federal Motor Carrier Safety Administration extended and modified its emergency declaration (No. 2020-002) regarding motor carrier regulations, leaving the declaration in effect until 11:59 p.m. (ET) on February 28, 2021;

WHEREAS, the operative provisions of Executive Order 20-65 are not only necessary to deal with the public

health crisis caused by COVID-19 but are also necessary to deal with the imminent threat of additional outbreaks of COVID-19 and the economic emergency resulting from COVID-19 in that the operative provisions provide relief for certain motor carriers and persons operating commercial vehicles from strict compliance with operating, licensing, certification, and permitting rules and regulations that might otherwise prevent these certain motor carriers and persons operating commercial vehicles from continuing operation in furtherance of commerce-related activities;

WHEREAS, continuing most of the operative provisions of Executive Order 20-65 minimizes the economic loss to commerce-related activities that would result if strict compliance with certain operating, licensing, certification, and permitting rules and regulations prevented motor carriers and persons operating commercial vehicles from continuing operation in furtherance of commerce-related activities;

WHEREAS, with COVID-19 vaccines and related supplies requiring expedited delivery under specific transportation conditions, relief from certain motor carrier restrictions will facilitate fast, efficient distribution of COVID-19 vaccines; and

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times, including ensuring that essential goods and supplies can be delivered as efficiently as possible while still maintaining adequate safety standards.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including but not limited to the authority granted me by K.S.A. 48-924 and K.S.A. 48-925(b), (c)(1), and (c)(11), in order to respond to the effects of the spread of COVID-19, cope with the effects of the pandemic both in Kansas and elsewhere, and to promote and secure the safety and protection of the civilian population, I hereby acknowledge a state of emergency exists in the United States and direct and order the following:

- 1. In accordance with the FMCSA's declaration under Title 49 C.F.R. § 390.23(a)(1)(i), Title 49 C.F.R. §§ 390-399 are hereby suspended for motor carriers and persons operating commercial vehicles actively participating in COVID-19 relief or restoration efforts, except that 49 C.F.R. §§ 392.2, 392.3, 392.80, and 392.82 remain in effect.
- 2. All other applicable state and federal regulations shall continue to apply, including but not limited to: Title 49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing; the Kansas Motor Vehicle Driver's License Act, K.S.A. 8-234 et. seq., and Title 49 C.F.R. Part 383 Commercial Driver's License Standards as adopted by the Kansas Uniform Commercial Drivers' License Act, K.S.A. 8-2,125 et. seq., the federal Minimum Levels of Financial Responsibility (insurance requirements) Title 49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n and state insurance requirements as provided in K.A.R. 82-4-23; and, adherence to the regulations governing the (continued)

Transportation of Hazardous Materials as provided Title 49 C.F.R. 397 and adopted by K.A.R. 82-4-3k and Parts: 107, 171-173, 177, 178 and 180 as adopted by K.A.R.82-4-20.

- The licensing, certification, and permitting rules and regulations as required by the Kansas Corporation Commission are temporarily suspended for motor carriers and persons operating commercial vehicles actively participating in COVID-19 relief or restoration efforts.
- 4. The registration and fuel tax permits as enforced by the Kansas Department of Revenue are temporarily suspended for motor carriers and persons operating commercial vehicles actively participating in COVID-19 relief or restoration efforts.
- 5. Motor carriers and persons operating commercial vehicles actively participating in COVID-19 relief or restoration efforts must still obtain the requisite over-dimension/overweight permits as required by the Kansas Department of Transportation prior to operating; however, the fees associated with these permits are temporarily waived.
- 6. Except as specifically stated in this order, all other state motor carrier laws or regulations remain in full force and effect.
- 7. This order supersedes any contrary order by any local health department regarding motor carriers and should be read in conjunction with previous executive orders responding to the COVID-19 pandemic. Any contrary provision in previous executive orders is superseded by this order.

This document shall be filed with the Secretary of State as Executive Order No. 20-72. It shall become effective immediately and remain in force until 11:59 p.m. on February 28, 2021, until rescinded, or until the statewide State of Disaster Emergency extended by House Bill 2016 enacted during the June 2020 special session relating to COVID-19—and later extended by the State Finance Council—expires, whichever is earlier.

Dated December 31, 2020.

Laura Kelly Governor

Doc. No. 048750

#### State of Kansas

#### Office of the Governor

## Executive Order No. 20-73 Extending the Governor's Council on Tax Reform

WHEREAS, Kansas is committed to a shared vision of increased prosperity and improved well-being for all Kansans;

WHEREAS, a fair and efficient tax policy at the state level is essential to growing the economy, allowing Kansans to thrive, and adequately and predictably funding both state and local government budgets;

WHEREAS, tax policy changes often raise questions of economics, morality, personal freedom, and shared ob-

ligations, and such questions should be addressed by a diverse group of experts and stakeholders;

WHEREAS, the Tax Council was initially to disband on January 1, 2021, but the economic and budgetary disruption caused by the COVID-19 pandemic requires that the Tax Council continue to play an important role in creating tax policy for our state; and

**WHEREAS**, the Legislature and the executive branch will benefit from the perspective and counsel of a diverse group of experts and stakeholders when tax policies are proposed and debated.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish and extend the Governor's Council on Tax Reform ("Council"):

- 1. The Governor shall appoint the following to serve as members of the Council:
  - a. One representative from or selected by each of the following agencies, organizations, or constituencies:
    - i. Kansas League of Municipalities
    - ii. Kansas Association of Counties
    - iii. Kansas Association of School Boards
    - iv. Kansas County Treasurers Association
  - b. Four members of the business, economic development, or agriculture communities.
  - c. Secretary of Revenue or designee (ex officio)
  - d. Secretary of Commerce or designee (ex officio)
  - e. Secretary of Transportation or designee (ex officio)
  - f. Budget Director or designee (ex officio)
  - g. Additional members at the Governor's discretion.
- 2. The Governor shall invite the following legislators to participate as full voting members of the Council:
  - a. President of the Senate
  - b. Speaker of the House
  - c. Senate Minority Leader
  - d. House Minority Leader
- The Governor shall select a chair and vice-chair, or co-chairs, from the Council's membership, and the chair or co-chairs may establish rules for the Council's meetings and conduct of business.
- 4. Members shall receive no compensation and shall serve voluntarily. Members other than the chair, vice-chair, or co-chairs shall not be reimbursed for expenses or mileage. Officers or employees of state agencies who are appointed to the Council as part of their duties shall be authorized to participate on the Council and may claim subsistence, allowance, mileage, or associated expenses from their respective agency budgets as permitted by law.
- 5. The Council shall be subject to the Kansas Open Records Act and the Kansas Open Meetings Act.

6. Plans, reports, or recommendations of any nature adopted by the Council shall be considered advice to the Governor, and shall not be construed as official policies, positions, or interpretations of laws, rules, or regulations by any department or agency of state government, nor shall any such department or agency be bound in any manner to consider such advice when conducting their advisory and regulatory affairs.

#### 7. The Council shall:

- Identify goals, initiatives, performance metrics, and other methods of assessing or achieving increased effectiveness and fairness in the state's tax system;
- Explore, assess, recommend, and report on various tax strategies and policies that may increase
  the effectiveness and fairness of the state's tax
  system;
- c. Receive input from the public—including relevant non-profit or business stakeholders, experts, and other organizations not represented on the Council—regarding various tax strategies or policies; and
- d. Submit an initial report in December 2019 informing and advising the Governor of the Council's assessments and recommendations.
- 8. The Council shall be staffed by the Department of Revenue with assistance from other experts or organizations as appropriate.
- After submitting reports in December of 2019 and 2020, the Council shall continue to meet and work as needed to develop and submit a final report to the Governor by December 8, 2021, after which the Council's work will be complete and it will disband.
- 10. The membership of the Council as it exists as of this date shall be continued without the need for formal reappointment.
- 11. This order supersedes any contrary provisions of Executive Order 19-11.

This document shall be filed with the Secretary of State as Executive Order No. 20-73. It shall become effective immediately and remain in force until the earlier of either its affirmative rescission or January 1, 2022.

Dated December 31, 2020.

Laura Kelly Governor

Doc. No. 048751

(Published in the Kansas Register January 7, 2021.)

#### Unified School District No. 356, Sumner County, Kansas (Conway Springs)

Summary Notice of Bond Sale \$4,390,000\* General Obligation Bonds, Series 2021

(General Obligation Bonds Payable from Unlimited Ad Valorem Taxes)

#### **Bids**

Subject to the Notice of Bond Sale dated December 14, 2020 (the "Notice"), facsimile, written and electronic bids will be received on behalf of the Clerk of Unified School District No. 356, Sumner County, Kansas (Conway Springs) (the "Issuer") in the case of written or facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CST) on January 27, 2021 for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100 percent of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated February 17, 2021, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2022	\$160,000	2032	\$240,000
2023	160,000	2033	250,000
2024	160,000	2034	260,000
2025	170,000	2035	265,000
2026	180,000	2036	275,000
2027	190,000	2037	285,000
2028	200,000	2038	300,000
2029	210,000	2039	310,000
2030	225,000	2040	320,000
2031	230,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 2021.

#### **Book-Entry-Only System**

The Bonds shall be registered under a book-entry-only system administered through DTC.

#### **Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

#### **Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$87,800.

(continued)

#### **Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about February 17, 2021, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

#### **Assessed Valuation and Indebtedness**

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2020 is \$31,769,931. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$4,390,000.

#### **Approval of Bonds**

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds, and delivered to the successful bidder as and when the Bonds are delivered.

#### **Additional Information**

Additional information regarding the Bonds may be obtained from the undersigned, or from the Financial Advisor at the addresses set forth below:

#### **Issuer Address**

Unified School District No. 356 Attn: Judy Andra, Clerk 110 N. Monnett St. Conway Springs, KS 67031 620-456-2961 Fax: 620-456-3173 andra@usd356.org

## Financial Advisor – Written and Facsimile Bid and Good Faith Deposit Delivery Address

Stifel, Nicolaus & Company, Inc. Attn: Bret Shogren, Director 301 N. Main, Suite 800 Wichita, KS 67202 316-264-9351 Fax: 316-264-9370 shogrenb@stifel.com

Dated December 14, 2020.

Judy Andra Clerk

\* Subject to change, see the Notice Doc. No. 048740

#### State of Kansas

## Department of Agriculture Division of Conservation

## Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 1:00 p.m. March 9, 2021, by the Kansas Department of Agriculture to consider the adoption of a proposed regulation. The public hearing will be conducted only via video conferencing

system due to concerns posed by the COVID-19 pandemic. Members of the public will not be permitted to attend the public hearing in person. Anyone desiring to participate in the public hearing via video conference must pre-register at https://kansasag.zoom.us/meeting/register/tJMpduqvqDsjH9HMpVP80roy1NnG7tt-5Lpz.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. Prior to the hearing, all interested parties may submit written comments by mail to the Secretary of Agriculture, 1320 Research Park Dr., Manhattan, KS 66502, or by email to ronda.hutton@ks.gov. All interested parties will also be given a reasonable opportunity to orally present their views on the adoption of the proposed rule and regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. The rule and regulation are proposed for adoption on a permanent basis. A summary of the proposed rule and regulation and its economic impact follows:

The proposed revision in K.A.R. 11-9-5 will provide for a one-time early payout of existing long-term state incentive contracts for landowners already enrolled in Conservation Reserve Program ("CRP") conservation practices under the Kansas Water Quality Buffer Initiative ("KWQB Initiative") authorized by K.S.A. 2-1915(d).

**Economic Impact Statement:** 

KWQB Initiative payments are not mandated by the federal government but are state authorized additional payments to encourage participation in existing federal programs.

The state of Missouri offers a similar buffer incentive program in which state incentive payments are paid in amounts ranging from \$100–\$150 per acre in addition to a federal riparian, wetland or wildlife conservation program. The state of Nebraska offers a similar buffer incentive program in which an incentive payment is paid in amounts ranging up to \$250 per acre, either in combination with enrollment in a federal riparian, wetland or wildlife conservation program, or as just a state enrollment in a riparian, wetland or wildlife conservation program. These states make payments over the life of the CRP contract as well. The states of Colorado and Oklahoma do not appear to offer similar state incentives for buffer enrollments.

Business activities and growth may see a minor increase due to the accelerated financial revenues which landowners will realize from the early state incentive contract payouts rather than having to collect small payouts over a longer period.

There will not be an economic impact on implementation and compliance because landowners have already agreed to implement the conservation practices for an agreed incentive payment.

Businesses that will be directly affected by the proposed rule and regulation are farming operations, environmental non-profits, and other land-owning entities.

The state of Kansas has already committed to the costs of these state incentive contracts. Providing an early

payout to landowners will drastically reduce the administrative cost to the agency by reducing the staff time involved with constantly updating the changes in ownership information and processing of updates to the state incentive contracts which are associated with the federal CRP contracts. Mailing costs will also be drastically decreased because one final check will be mailed to the recipients instead of repeated mailings over the remaining life of the contracts. Allowing early payouts will reduce costs to the state and allow landowners to maximize their incentive money.

The estimated total annual implementation, total implementation and compliance costs that are expected to be incurred by or passed along to businesses, local governments, or members of the public is zero.

It is estimated that approximately 160 staff hours are spent each year by administrative and financial personnel who are involved in the annual updating and processing of these state incentive contract records and payments. At an average salary of \$25 per person, at least \$4,000 per year are invested in the annual upkeep of the contract records and mailings. Considering a remaining average contract life of 6.25 years per contract, approximately \$40,000 could be saved by reducing the payments to one early final payment.

In FY2021, the annual payment for these 627 remaining state incentive contracts will be \$82,320. The last of these 627 contracts will not expire until September 30, 2031. The total remaining liability for all of these remaining 627 state incentive contracts is approximately \$657,000.

The Kansas Department of Agriculture mailed notification letters to the League of Kansas Municipalities, Kansas Association of Counties and the Kansas Association of School Boards along with a copy of the proposed amended regulation and impact statement.

The Kansas Department of Agriculture consulted with the State Conservation Commission, the Kansas Association of Conservation Districts, and with many individual county conservation districts and individual state incentive contract holding landowners about the benefits of providing these early contract payouts.

No costs will accrue if the proposed rule and regulation are not adopted, other than the previously mentioned administrative costs. The environmental impact portion of the regulation will be completed regardless of when the incentive payment is complete.

Any individual with a disability may request accommodations to participate in the public hearing and may request the proposed regulation and impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at 785-564-6715 or fax 785-564-6777.

Copies of the regulation and its economic impact statement may be obtained by contacting the Department of Agriculture, Ronda Hutton, 1320 Research Park Dr., Manhattan, KS 66502 or 785-564-6715 or by accessing the department's website at https://www.agriculture.ks.gov. Comments may also be made through our website at https://www.agriculture.ks.gov/document-services/ public-comment.

> Mike Beam Secretary

Doc. No. 048749

Register

V. 39, p. 1358

V. 39, p. 1359

V. 39, p. 1075

#### INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the Kansas Administrative Regulations and the 2020 Supplement of the Kansas Administrative Regulations. Regulations can also be found at http://www.sos. ks.gov/pubs/pubs\_kar.aspx.

#### **AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-34-22	New	V. 39, p. 1578
4-34-23	New	V. 39, p. 1579
4-34-24	New	V. 39, p. 1580
4-34-25	New	V. 39, p. 1581
4-34-26	New	V. 39, p. 1581
4-34-27	New	V. 39, p. 1581
4-34-28	New	V. 39, p. 1582
4-34-29	New	V. 39, p. 1582
4-34-30	New	V. 39, p. 1583
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#### **AGENCY 9: DEPARTMENT OF** AGRICULTURE-DIVISION OF ANIMAL HEALTH

Action

Amended

New

Reg. No.

9-2-35

10-24-3

9-3-9

	CY 10: KANSA OF INVESTIGA	
Reg. No.	Action	Register
10-24-1	New (T)	V. 39, p. 732
10-24-1	New	V. 39, p. 1074
10-24-2	New (T)	V. 39, p. 732
10-24-2	New	V.39, p. 1074
10-24-3	New (T)	V. 39, p. 732

#### **AGENCY 16: ATTORNEY GENERAL**

New

Reg. No.	Action	Register
16-14-1	Amended	V. 39, p. 1155
16-14-10	Amended	V. 39, p. 1155
16-14-11	Amended	V. 39, p. 1155
16-19-1	New	V. 39, p. 208
16-19-2	New	V. 39, p. 208
16-19-3	New	V. 39, p. 208
16-20-1	New (T)	V. 39, p. 462
16-20-1	New	V. 39, p. 1075
	NCY 17: OFFICI BANK COMM	

Reg. No. Action Register 17-23-9 Revoked V. 39, p. 146

#### **AGENCY 26: DEPARTMENT FOR** AGING AND DISABILITY SERVICES

Keg. No.	Action	Kegister
26-38-1	New	V. 39, p. 1155
26-38-2	New	V. 39, p. 1156
26-38-3	New	V. 39, p. 1157
26-38-4	New	V. 39, p. 1157
26-38-5	New	V. 39, p. 1157
26-38-6	New	V. 39, p. 1158
26-38-7	New	V. 39, p. 1158
26-38-8	New	V. 39, p. 1159
26-38-9	New	V. 39, p. 1160
26-38-10	New	V. 39, p. 1160
26-38-11	New	V. 39, p. 1160

#### **AGENCY 28: DEPARTMENT OF HEALTH** AND ENVIRONMENT

Reg. No.	Action	Register
28-1-40	New (T)	V. 39, p. 1018
28-1-40	New	V. 39, p. 1384
28-1-41	New (T)	V. 39, p. 1018
28-1-41	New	V. 39, p. 1384
28-1-42	New (T)	V. 39, p. 1018
28-1-42	New	V. 39, p. 1384
28-1-43	New (T)	V. 39, p. 1018
28-1-43	New	V. 39, p. 1385
28-1-44	New (T)	V. 39, p. 1019
28-1-44	New	V. 39, p. 1385
28-15-52	Amended	V. 39, p. 171
28-15-53	Amended	V. 39, p. 171
28-19-719	Revoked	V. 39, p. 1459
28-19-720	Amended	V. 39, p. 1459

28-24-1	Amended	V. 39, p. 336		GENCY 66: BOAF		88-10-3	Revoked	V. 39, p. 1270
28-24-2	Amended	V. 39, p. 336	TECI	HNICAL PROFE	SSIONS	88-10-4	Revoked	V. 39, p. 1270
28-24-3	Amended	V. 39, p. 336	Reg. No.	Action	Register	88-10-5	Revoked	V. 39, p. 1270
28-24-4	Amended	V. 39, p. 337	66-6-1	Amended	V. 39, p. 1425	88-10-6	Revoked	V. 39, p. 1270
28-24-5	Amended	V. 39, p. 337	66-6-10	Amended	V. 39, p. 1426	88-10-7 88-10-8	Revoked	V. 39, p. 1270
28-24-6	Amended	V. 39, p. 337	66-7-1	Amended	V. 39, p. 1427	88-10-10	Revoked Revoked	V. 39, p. 1270
28-24-7 28-24-8	Amended	V. 39, p. 337	66-8-3	Amended	V. 39, p. 1427	88-10-12	Revoked	V. 39, p. 1270
28-24-9	Amended Amended	V. 39, p. 337 V. 39, p. 337	66-8-4	Amended	V. 39, p. 1427	88-11-1	Revoked	V. 39, p. 1270 V. 39, p. 1270
28-24-10	Amended	V. 39, p. 338	66-9-5	Amended	V. 39, p. 1427	88-11-2	Revoked	V. 39, p. 1270 V. 39, p. 1270
28-24-11	Amended	V. 39, p. 338 V. 39, p. 338	66-10-4	Amended	V. 39, p. 1427	88-11-3	Revoked	V. 39, p. 1270 V. 39, p. 1270
28-24-12	Amended	V. 39, p. 338	66-10-9	Amended	V. 39, p. 1428	88-11-4	Revoked	V. 39, p. 1270
28-24-13	Amended	V. 39, p. 339	66-10-10b	Amended	V. 39, p. 1428	88-11-5	Revoked	V. 39, p. 1270
28-24-14	Amended	V. 39, p. 339	66-10-10c	New	V. 39, p. 1428	88-11-6	Revoked	V. 39, p. 1270
28-38-18	Revoked	V. 39, p. 1160	66-10-12	Amended	V. 39, p. 1428	88-11-7	Revoked	V. 39, p. 1270
28-38-19	Revoked	V. 39, p. 1160	66-10-13	Amended	V. 39, p. 1429	88-11-8	Revoked	V. 39, p. 1270
28-38-20	Revoked	V. 39, p. 1160	66-11-5	Amended	V. 39, p. 1429	88-11-9	Revoked	V. 39, p. 1270
28-38-21	Revoked	V. 39, p. 1160	66-14-1	Amended	V. 39, p. 1429	88-11-11	Revoked	V. 39, p. 1270
28-38-22	Revoked	V. 39, p. 1161	66-14-2	Amended	V. 39, p. 1430	88-11-12	Revoked	V. 39, p. 1270
28-38-23	Revoked	V. 39, p. 1161	66-14-3	Amended	V. 39, p. 1430	88-25-1	New	V. 39, p. 748
28-38-26	Revoked	V. 39, p. 1161	66-14-5	Amended	V. 39, p. 1430	88-25-2	New	V. 39, p. 748
28-38-28	Revoked	V. 39, p. 1161	66-14-6 66-14-7	Amended	V. 39, p. 1431	88-25-3	New	V. 39, p. 748
28-38-29	Revoked	V. 39, p. 1161	66-14-8	Amended	V. 39, p. 1431	88-25-4	New	V. 39, p. 748
28-38-30	Revoked	V. 39, p. 1161	66-14-9	Amended Amended	V. 39, p. 1431 V. 39, p. 1431	88-25-5	New	V. 39, p. 748
28-44-12	Amended	V. 39, p. 819	66-14-10	Revoked	V. 39, p. 1431 V. 39, p. 1431	88-29-1	Revoked	V. 39, p. 1215
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28-44-14	Amended	V. 39, p. 819	66-14-12	Amended	V. 39, p. 1431	88-29-11	Revoked	V. 39, p. 1216
28-44-15	Amended	V. 39, p. 820	66-15-1	New	V. 39, p. 14	88-29-12	Amended	V. 39, p. 1216
28-44-16	Amended	V. 39, p. 820			•	88-29-13 88-29-14	Amended	V. 39, p. 1216
28-44-17 28-44-18	Amended	V. 39, p. 820	AGENCY	68: BOARD OF	PHARMACY	88-29-15	Amended Amended	V. 39, p. 1218 V. 39, p. 1218
28-44-19	Amended Amended	V. 39, p. 821 V. 39, p. 821	Reg. No.	Action	Register	88-29-16	Amended	V. 39, p. 1218 V. 39, p. 1219
28-44-20	Amended	V. 39, p. 821 V. 39, p. 821	68-2-5	Amended	V. 39, p. 105	88-29-17	Amended	V. 39, p. 1219 V. 39, p. 1220
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28-44-22	Amended	V. 39, p. 822	۸.	GENCY 69: BOAI	=	88-29-19	Revoked	V. 39, p. 1221
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28-44-25	Amended	V. 39, p. 822	Reg. No.	Action	Register	88-29a-6	Amended	V. 39, p. 1223
28-44-26	Amended	V. 39, p. 823	69-3-8	Amended (T)	V. 39, p. 1186	88-29a-7	Amended	V. 39, p. 1223
28-44-27	Amended	V. 39, p. 823	69-3-8	Amended	V. 39, p. 1583	88-29a-7a	Amended	V. 39, p. 1224
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28-44-30	New	V. 39, p. 825	D N-	A -1:	Danistan	88-29a-11	Amended	V. 39, p. 1227
28-44-31	New	V. 39, p. 825	<b>Reg. No.</b> 70-5-1	<b>Action</b> Amended	<b>Register</b> V. 39, p. 1495	88-29a-18	Amended	V. 39, p. 1228
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36-45-2	New (T)	V. 39, p. 1105	ACENCY	( 82: STATE COR	POPATION	88-29b-7a	Amended	V. 39, p. 1234
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36-45-4	New (T)	V. 39, p. 1106	82-4-3a	Amended (T)	V. 39, p. 1188	88-29c-5	Amended	V. 39, p. 1238
36-45-4	New	V. 39, p. 1491	82-4-3a	Amended	V. 39, p. 1608	88-29c-7	Amended	V. 39, p. 1238
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105-5-6	Amended	V. 39, p. 252	111-4-3616	New	V. 39, p. 860	111-301-5	Amended	V. 39, p. 534
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109-11-1a	Amended	V. 39, p.32	111-4-3628	New	V. 39, p. 896	111-301-76	New	V. 39, p. 1339
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		ist of regulations	111-4-3642	New	V. 39, p. 1336	111-501-153	New	V. 39, p. 74
		vember 2009 can o. 53, December	111-4-3643	New	V. 39, p. 1404	111-601-4	Amended	V. 39, p. 1117
be found in		o. 55, December	111-4-3644	New	V. 39, p. 1460	111-601-6	Amended	V. 39, p. 1117
31 2009 Kan	eae Rooistor A li	ist of regulations						, r
		ist of regulations through Decem-	111-4-3645	New	V. 39, p. 1462		12: KANSAS R	
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filed from Deber 21, 2011, 52, Decembe	ecember 1, 2009, can be found in r 29, 2011 <i>Kansa</i>	through Decem-	111-4-3645 111-4-3646 111-4-3647 111-4-3648	New New New New	V. 39, p. 1462 V. 39, p. 1463 V. 39, p. 1465 V. 39, p. 1466	AGENCY 1 GAN Reg. No.	12: KANSAS R MING COMMI Action	ACING AND SSION Register
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filed from Deber 21, 2011, 52, December of regulation through November 1, 2011, November 2, November 2	ecember 1, 2009, can be found in r 29, 2011 Kansos s filed from De rember 6, 2013, No. 52, Decembe st of regulation	through Decem- n the Vol. 30, No. ns Register. A list cember 22, 2011, can be found in or 26, 2013 Kansas s filed from No-	111-4-3645 111-4-3646 111-4-3647 111-4-3648 111-5-245 111-9-223	New New New New New New	V. 39, p. 1462 V. 39, p. 1463 V. 39, p. 1465 V. 39, p. 1466 V. 39, p. 577	AGENCY 1 GAN Reg. No. 112-105-1 AGENC	12: KANSAS R IING COMMI Action Amended	AACING AND SSION Register V. 39, p. 251
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