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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 1-27-20 through 2-2-20

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Scott Miller
Director of Investments

Doc. No. 047849

State of Kansas

Department of Transportation

Request for Proposals

Background and Purpose of Project

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for project 126-19 KA 3103-01. The project is located on K-126 in Crawford County, Bridge #039 (K-126 over the KCS Railway), located 0.47 miles east of the U.S. 69 Bus./K-126 junction in Pittsburg.

Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) February 7, 2020, to be delivered via email to kdot.designcontracts@ks.gov. Evaluation and ranking of submissions will occur on or about February 14, 2020, 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 19, 2020. An agreement should be in place on or about March 4, 2020. The contractor could start on the project as early as March 2020 or as late as April 2020.

Scope of Services to be Performed

The project manager/inspectors must be capable in inspecting the whole project, which includes concrete work, traffic control, PCC Paving, HMA Paving, grading, bridges, retaining wall, seeding, erosion control, SWPPP Inspections, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: SWPPP Inspections, 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 project needs. Submit the names and information of the project manager, along with two more inspectors that will be supplemented as needed. Construction is anticipated to be completed within 250 working days, this is expected to span both the 2020 and 2021 construction season. Anticipate a reduction of inspection staff over the 2020-2021 winter. Provide all the equipment necessary to inspect and test materials.

Instructions for Letter of Interest

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
- Supplemental project inspectors
- 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

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, two intermittent inspectors), certifications, and qualifications proposed for services;
3. Proximity of inspectors to project;
4. Past performance history on similar projects (list project numbers) for KDOT;
5. Types of direct expenses anticipated (lodging, mileage, etc.); and
6. Anticipated time to close out project paperwork.

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

(continued)
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. 047846

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at https://kdotapp.ksdot.org/Proposal/Proposal.aspx. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the “Bid Holders List,” or to be included on the “Non-Bid Holders List” as a subcontractor/supplier. KDOT’s approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic internet proposals using the Bid Express website at http://www.bidx.com until 1:00 p.m. (CST) February 19, 2020. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 SW Harrison, Topeka, Kansas, at 1:30 p.m. (CST) February 19, 2020. An audio broadcast of the bid letting is available at http://www.ksdot.org/burcons/main/audio.asp.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid non-responsive and not eligible for award consideration.

District One — Northeast

Douglas—40-23 KA-5208-01 – U.S. 40, signal at the intersection of U.S. 40/K-10 and Wakarusa Drive/27th Street, roadway safety, 0.2 mile. (State Funds)

Johnson—35-46 KA-3929-01–I-35, bridge #007 (199th Street over I-35) located 4.2 miles northeast of the Johnson/Miami county line, bridge replacement. (Federal Funds)

Johnson—07-46 KA-5465-01–K-7, beginning at the K-10/K-7 junction north to the Kansas River Bridge, milling and overlay, 8.3 miles. (State Funds)

Johnson—10-46 KA-5466-01–K-10, beginning at the K-10/K-7 junction east to the I-435/K-10 junction, milling and overlay, 4.9 miles. (Federal Funds)

Johnson—56-46 KA-5467-01 – U.S. 56, from Roe Avenue east to State Line Road, milling and overlay, 1.8 miles. (Federal Funds)

Johnson—69-46 KA-5468-01 – U.S. 69, from 159th Street north to the Blue Valley Parkway, ultra thin bonded asphalt surfacing, 4.0 miles. (Federal Funds)

Johnson—69-46 KA-5572-01 – U.S. 69, at various locations including from Shawnee Mission Parkway north to Johnson Drive, the ramp at Metcalf Lane, the West Frontage Road, Barkley Street and West 56th Street, milling and overlay, 1.0 mile. (State Funds)

Marshall—77-58 KA-5476-01 – U.S. 77, beginning at the Riley/Johnson county line north to the west U.S. 77/K-9 junction, milling and overlay, 8.5 miles. (Federal Funds)

Riley—18-81 KA-3080-01 – K-18, bridges #028 and #029 (over Wildcat Creek) located 0.56 and 0.57 miles respectively east of the K-18/K-113 junction, bridge replacement. (Federal Funds)

Riley—24-81 KA-5474-01 – U.S. 24, from the east U.S. 24/U.S. 77 junction east to the U.S. 24/K-13 junction, ultra thin bonded asphalt surfacing, 9.6 miles. (Federal Funds)

Riley—77-81 KA-5475-01 – U.S. 77, from the east U.S. 24/U.S. 77 junction north to the U.S. 77/K-16 junction, ultra thin bonded asphalt surfacing, 9.6 miles. (Federal Funds)

Riley—77-81 KA-5477-01 – U.S. 77, beginning at the U.S. 77/K-16 junction north to the Riley/Johnson county line, milling and overlay, 9.1 miles. (Federal Funds)


District Two — North Central

Morris—64 TE-0473-01–Council Grove from Riverview Parkway to the intersection of Valley Street and River Road West, pedestrian and bicycle paths, 0.4 mile. (Federal Funds)

District Three — Northwest

Ellis—70-26 KA-5536-01–I-70, bridge #029 (over North Fork Big Creek) located 6.58 miles east of the U.S. 183/I-70 junction, bridge repair. (Federal Funds)
Trego—70-98 KA-5537-01—I-70, bridges #005 and #006 located 5.93 miles east of the K-198/I-70 junction, bridge repair. (Federal Funds)

District Four — Southeast

Cherokee—11 C-4907-01 – Burlington Northern and Santa Fe railroad crossing improvement at RS-1171 (SE 20th. Street) and SW Brush Creek Road, grade and surfacing. (Federal Funds)

Greenwood—37 C-4931-01—Major collectors west of K-99 and south of U.S. 54, signing, 61.0 miles. (Federal Funds)

Montgomery—63 C-4898-01–Intersection of RS-475 (County Road-3900) and RS-2412 (County Road-3400), grade and surfacing, 0.3 mile. (Federal Funds)

District Five — South Central

Butler—8 C-4942-01 – Intersection of Southwest Butler Road and Southwest 150th Street, intersection improvement, 1.0 mile. (Federal Funds)

Sedgwick—135-87 KA-4910-03 – I-135, bridge #291 located at 19th Street North and I-135 in Wichita, bridge repair. (Federal Funds)

District Six — Southwest

Meade—60 C-4927-01—Various locations southeast of Meade, guard fence, 0.2 mile. (Federal Funds)

Trego—70-98 KA-5537-01—I-70, bridges #005 and #006 located 5.93 miles east of the K-198/I-70 junction, bridge repair. (Federal Funds)

District Four — Southeast

Cherokee—11 C-4907-01 – Burlington Northern and Santa Fe railroad crossing improvement at RS-1171 (SE 20th. Street) and SW Brush Creek Road, grade and surfacing. (Federal Funds)

Greenwood—37 C-4931-01—Major collectors west of K-99 and south of U.S. 54, signing, 61.0 miles. (Federal Funds)

Montgomery—63 C-4898-01–Intersection of RS-475 (County Road-3900) and RS-2412 (County Road-3400), grade and surfacing, 0.3 mile. (Federal Funds)

District Five — South Central

Butler—8 C-4942-01 – Intersection of Southwest Butler Road and Southwest 150th Street, intersection improvement, 1.0 mile. (Federal Funds)

Sedgwick—135-87 KA-4910-03 – I-135, bridge #291 located at 19th Street North and I-135 in Wichita, bridge repair. (Federal Funds)

District Six — Southwest

Meade—60 C-4927-01—Various locations southeast of Meade, guard fence, 0.2 mile. (Federal Funds)

Julie Lorenz
Secretary

State of Kansas

Department of Agriculture
Division of Conservation

Notice of Intent to Lease Land and/or Building Space

Notice of intent to lease KSU Polytechnic Old Gym at 3142 Scanlan Ave., Salina, Kansas.

Public notice is hereby given, pursuant to K.S.A. 75-430a(d), that Kansas State University Polytechnic Campus seeks to sell the old gym building on approximately 5.04 acres of land known as the KSU – Salina Gym, located at 3142 Scanlan Ave., Salina, Kansas. The specifications of the contemplated sale and further information are available on the KSU Polytechnic website https://polytechnic.k-state.edu/campus-resources/fiscal/cashiers/landsale.html or by contacting Dennis Stugelmeyer, Kansas State University Polytechnic Campus, 2310 Centennial Road, Salina, KS 67401.

Competitive bids will be received by Kansas State University until 2:00 p.m. March 2, 2020. No bid received after that date and hour shall be considered by Kansas State University. Only bids as shall be in substantial conformity with the terms and provisions of the sale and the materials available to bidders from Kansas State University will be considered or accepted.

Dennis Stugelmeyer
Director of Fiscal Services
Polytechnic Campus

State of Kansas

Wichita State University

Notice of Intent to Sell Property

Notice of intent to sell KSU Polytechnic Old Gym at 3142 Scanlan Ave., Salina, Kansas.

Public notice is hereby given, pursuant to K.S.A. 75-430a(d), that Kansas State University Polytechnic Campus seeks to sell the old gym building on approximately 5.04 acres of land known as the KSU – Salina Gym, located at 3142 Scanlan Ave., Salina, Kansas. The specifications of the contemplated sale and further information are available on the KSU Polytechnic website https://polytechnic.k-state.edu/campus-resources/fiscal/cashiers/landsale.html or by contacting Dennis Stugelmeyer, Kansas State University Polytechnic Campus, 2310 Centennial Road, Salina, KS 67401.

Competitive bids will be received by Kansas State University until 2:00 p.m. March 2, 2020. No bid received after that date and hour shall be considered by Kansas State University. Only bids as shall be in substantial conformity with the terms and provisions of the sale and the materials available to bidders from Kansas State University will be considered or accepted.

Dennis Stugelmeyer
Director of Fiscal Services
Polytechnic Campus

State of Kansas

Robert Reschke
Executive Director
Division of Conservation
institutions, etc.). Because tenant 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 university, its students, and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). The university will consider serious offers and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Vice President for Research & Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or University Property Manager Crystal Stegeman, 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

State of Kansas
Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU) is interested in entering into a long-term ground lease, subject to all required state approvals, for approximately 1.4 acres of property located at 1741 and 1755 N. Hillside. The university is interested in leasing such property to any individual, organization, or entity 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 and providing retail, restaurant, and service centers that would be desirable and beneficial to the international student community. The university intends to lease this property for any period of time up to 65 years, but extended terms and renewal options would be considered. Interested tenants must be willing to provide the university an option to lease back improved office/classroom/lab space up to 11,000 square feet. Interested tenants must be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: financial stability and strength, proposal terms, demonstrated benefit to WSU and the community, design concepts, and proposed use. Rental rate may be negotiated based on square foot of leased ground or leasable square foot of the building. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization, or company and such offers will be considered until a selection is made or this notice is withdrawn. If interested, please contact Vice President for Research and Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or University Property Manager Crystal Stegeman, 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 Finance and Administration
Wichita State University
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:

02/12/2020 EVT0007211 Descaling System  
02/12/2020 EVT0007205 Waste Oil Storage System  
02/12/2020 EVT0007206 Aboveground Fuel Tanks  
02/14/2020 EVT0007220 Reinforce Concrete Slab-Highway Patrol Salina  
02/18/2020 EVT0007194 Agricultural Services – Woodson Wildlife Area  
02/19/2020 EVT0007214 Agricultural Services – Kansas Veterans Wildlife Area  
02/20/2020 EVT0007208 Janitorial Services – Topeka  
02/20/2020 EVT0007218 Agricultural Services – Fall River WA C9  
02/25/2020 EVT0007210 Dietician Consultant Services  
03/03/2020 EVT0007222 Telecommunications, Audio/Visual Install/Repair

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.

Tracy T. Diel, Director  
Office of Procurement and Contracts

Doc. No. 047860

State of Kansas  
Department of Administration  
Office of Facilities and Property Management  

Notice of Requested Architectural Programming Services

Notice is hereby given of the commencement of the selection process for architectural programming services for Pittsburg State University. The firm will assist the University in the development of an Architectural Building Program (Program) for a major expansion and targeted renovations at McPherson Hall, home to the Irene Ransom Bradley School of Nursing. The Program scope will include creation of a simulation hospital, computerized classroom testing center, and modernization of existing spaces to maximize efficient and flexible use of this central campus facility. Requirements for the Program include project background and justification, budgets, and schedules. The Program must also include space projections, summaries, and descriptions, in addition to a discussion of the impact the additional space will have on overall campus space, including building operating costs. Additional information that the University deems necessary may also be requested.

For more information, contact Lindell Haverstic at 620-235-4130 or lhaverstic@pittstate.edu.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at http://admin.ks.gov/offices/ofpm/dcc/f-and-d. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of the Program. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines which can be found in Part B–Chapter 2 of the Building Design and Construction Manual at http://www.admin.ks.gov/offices/ofpm/dcc/bdcm. Proposals should be sent on a flash drive along with a transmittal to Randy Riveland, Office of Facilities and Property Management, 700 SW Harrison St., Suite 1200, Topeka, KS 66603. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer’s responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2:00 p.m. on or before February 14, 2020.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

Frank Burnam, Director  
Office of Facilities and Property Management

Doc. No. 047850

State of Kansas  
Department of Commerce  

Notice of Hearing

The Department of Commerce, Community Development Block Grant (CDBG) program, will conduct one public hearing on the proposed FFY 2021 CDBG program. The public hearing will be held from 10:00 a.m. to 10:30 a.m. Monday, March 2, 2020, in the main conference room of the Department of Commerce, 1000 SW Jackson, Suite 100, Topeka, Kansas. The purpose of this hearing is to consider the proposed FFY 2021 CDBG program. The public hearing will be conducted in accordance with the Kansas Administrative Procedures Act, K.A.C. 28-32-101 et seq., and the Federal CDBG program.

The Department of Commerce, Community Development Block Grant (CDBG) program, will conduct one public hearing on the proposed FFY 2021 CDBG program. The public hearing will be held from 10:00 a.m. to 10:30 a.m. Monday, March 2, 2020, in the main conference room of the Department of Commerce, 1000 SW Jackson, Suite 100, Topeka, Kansas. The purpose of this hearing is to consider the proposed FFY 2021 CDBG program. The public hearing will be conducted in accordance with the Kansas Administrative Procedures Act, K.A.C. 28-32-101 et seq., and the Federal CDBG program.

(continued)
hearing is to gain citizen input on the proposed changes to the federally funded CDBG program as well as take comments on the performance of past administration of this program. Interested persons may also attend by conference call by calling 866-620-7326 (conference code 7675921124). No preregistration is required. All citizens are invited to attend the public hearing. Written comment will be accepted by regular mail or email at kdc_cdbg_inbox@ks.gov until day and time of hearing.

Anyone needing special accommodations should contact the Kansas Department of Commerce at least five business days in advance of the hearing at 785-296-3004, fax 785-296-3490 or TTY 711.

Proposed changes listed below will be discussed at the public hearing:

- Water/sewer projects over $3 million total cost must have completed and approved final design before application due date.
- Housing will add a new activity, neighborhood development projects. These are housing and infrastructure projects together within the same target area. $500,000 will be the limit for these projects with the maximum of $200,000 for infrastructure with a 50/50 matching requirement and $300,000 for housing.

David Toland
Secretary

State of Kansas

Kansas Housing Resources Corporation

Notice of Hearing

Kansas Housing Resources Corporation (KHRC) will conduct a public hearing to receive comments for the development of the 2020 Weatherization State Plan Application. Instructions and requirements of the 2020 State Plan Application can be found at https://www.energy.gov/eere/wipo/downloads/wpn-20-1-program-year-2020-weatherization-grant-application. The public hearing will be held at 2:00 p.m. February 13, 2020, at the Kansas Housing Resources Corporation, 611 S. Kansas Ave., Suite 300, Topeka, Kansas.

The 2020 State of Kansas Weatherization State Plan is anticipated to be very similar to the 2019 Weatherization State Plan which can be found at https://kshousingcorp.org/forms/. Hard copies will be available at the public hearing site upon request. Written comments and suggestions must be received by 12:00 p.m. February 13, 2020.

Parking is available along Kansas Avenue and the hearing will be less than the two-hour parking limit. If you are in need of a sign language interpreter, an assistive listening device, large print, or other material for accommodations to attend this meeting, you must notify KHRC at least one week prior to the meeting. Requests may be addressed to the Weatherization Program, KHRC, 611 S. Kansas Ave., Suite 300, Topeka, KS 66603-3803, by telephone at 1-800-752-4422, or via the Kansas relay service.

Christine Reimler
Division Director

State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Department of Health and Environment will conduct a public hearing to solicit comments from interested persons on revisions to the state plan for the Preventive Health and Health Services Block Grant. The hearing will be from 10:30 a.m. to 11:30 a.m. Friday, March 20, 2020, in the California Trails Conference Room, 2nd Floor, Suite 230, 1000 SW Jackson St., Topeka, Kansas.

Lee Norman, MD
Secretary

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal and Modification of Permit Conditions

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) and the Unified Government of Wyandotte County/Kansas City, Kansas’ Division of Air Quality (DAQ) are soliciting comments regarding a proposed air quality operating permit. PQ Corporation 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. Notice is also given that certain requirements in the construction permit dated September 9, 2013 are being modified by a Modification of Permit Conditions.

PQ Corporation, 1700 Kansas Ave., Kansas City, KS 66105, owns and operates a manufacturing facility located at 1700 Kansas Ave., Kansas City, KS 66105.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process, and a copy of the Modification of Permit Conditions are available for public review, during normal business hours, at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the DAQ, 619 Ann Ave., Kansas City, KS 66101. To obtain or review the proposed permit and supporting documentation, contact Julie Halbert, 785-296-1693, at the central office of the KDHE or Jaclyn Brown, 913-573-6700, at the DAQ.

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 documents to Jaclyn Brown, DAQ, 619 Ann Ave., Kansas City, KS 66101. In order to be considered...
in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, March 2, 2020.

A person may request a public hearing be held on the proposed documents. 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 Jaclyn Brown, DAQ, 619 Ann Ave., Kansas City, KS 66101, no later than 12:00 p.m. Monday, March 2, 2020, 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 Ward Burns, 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. 047863

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, 28-16-16 through 154, 28-16-1 through 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.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

<table>
<thead>
<tr>
<th>State Permit</th>
<th>Project Name</th>
<th>City</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-AR73-0047</td>
<td>Casey’s General Store Pratt, KS</td>
<td>Pratt</td>
<td>Barton</td>
</tr>
<tr>
<td>S-WA01-0057</td>
<td>Shadow Rock Addition Andover</td>
<td>Andover</td>
<td>Butler</td>
</tr>
<tr>
<td>S-WA01-0072</td>
<td>Myers Automotive Andover</td>
<td>Andover</td>
<td>Butler</td>
</tr>
<tr>
<td>S-WA01-0079</td>
<td>Firestone (Cloud Ave.) Andover</td>
<td>Andover</td>
<td>Butler</td>
</tr>
<tr>
<td>S-WA03-0039</td>
<td>Dike Road Relocation Augusta</td>
<td>Augusta</td>
<td>Butler</td>
</tr>
<tr>
<td>S-WA09-0079</td>
<td>Leaf Investments El Dorado</td>
<td>El Dorado</td>
<td>Butler</td>
</tr>
<tr>
<td>S-WA27-0023</td>
<td>Pratt Feeders, Inc. dba Ashland Feeder's Waste Storage Pond 1 Ashland</td>
<td>Ashland</td>
<td>Clark</td>
</tr>
<tr>
<td>S-KS0119705</td>
<td>Rehabilitation Crawford</td>
<td>Crawford</td>
<td></td>
</tr>
<tr>
<td>S-KS0119705</td>
<td>Frontenac Substation Lawrence</td>
<td>Lawrence</td>
<td>Douglas</td>
</tr>
<tr>
<td>S-KS0119705</td>
<td>KU Memorial Drive Lawrence</td>
<td>Lawrence</td>
<td>Douglas</td>
</tr>
<tr>
<td>S-KS0119705</td>
<td>Reconstruction (continued)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public Notice No. KS-Q-20-007/008

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.

<table>
<thead>
<tr>
<th>Name and Address of Applicant</th>
<th>Receiving Stream</th>
<th>Type of Discharge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ash Grove Aggregates, Inc. 9660 Legler</td>
<td>Marais des Cygnes River via Unnamed</td>
<td>Process Wastewater</td>
</tr>
<tr>
<td>Lenexa, KS 66219</td>
<td>Tributary</td>
<td></td>
</tr>
<tr>
<td>Kansas Permit No. I-MC18-PO05 Federal Permit No. KS0089141</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Description: NW¼, S23, T19S, R24E, Linn County, Kansas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Name: Amsterdam/LaCygne Quarry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The proposed action is to reissue an existing State/NPDES permit number to an existing facility. This facility is a limestone quarrying operation with some washing. Outfall 001A1 (also called 001K) consists of treated wash-water, which is treated by two settling ponds, before being discharged. The proposed permit contains limits for total suspended solids.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

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<tr>
<td>S-KS0119705</td>
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© Kansas Secretary of State 2020
<table>
<thead>
<tr>
<th>State Permit</th>
<th>Project Name</th>
<th>City</th>
<th>County</th>
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</thead>
<tbody>
<tr>
<td>S-KS31-0404</td>
<td>Mt. Blue Addition Lot 1</td>
<td>Lawrence</td>
<td>Douglas</td>
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<tr>
<td>S-KS52-0460</td>
<td>Olathie Contractor Storage</td>
<td>Olathie</td>
<td>Douglas</td>
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<tr>
<td>S-UA14-0124</td>
<td>Arcos Addition, Garden City, PEGarden City</td>
<td>Finney</td>
<td>Sedgwick</td>
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<tr>
<td>S-UA11-0113</td>
<td>Bloom Wind (Bloom)</td>
<td>Dodge City</td>
<td>Ford</td>
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<tr>
<td>S-MC31-0092</td>
<td>Shipping Facility</td>
<td>Ottawa</td>
<td>Franklin</td>
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<tr>
<td>S-KS97-0150</td>
<td>ASP Fence Replacement</td>
<td>Junction City</td>
<td>Geary</td>
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<td>S-LR15-0091</td>
<td>KDOT Project 77-31 KA-2367-04</td>
<td>Junction City</td>
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<tr>
<td>S-LA13-0102</td>
<td>Prairie Fire Addition</td>
<td>Newton</td>
<td>Harvey</td>
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<tr>
<td>S-MO27-0066</td>
<td>5th Plat Lot 18</td>
<td>Leawood</td>
<td>Johnson</td>
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<tr>
<td>S-KS52-0436</td>
<td>Dial Senior Apartments</td>
<td>Olathie</td>
<td>Johnson</td>
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<tr>
<td>S-KS52-0321</td>
<td>Little Cedar Creek (Park to Elm)</td>
<td>Leawood</td>
<td>Johnson</td>
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<tr>
<td>S-KS52-0545</td>
<td>Phase I</td>
<td>Olathie</td>
<td>Johnson</td>
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<tr>
<td>S-KS52-0484</td>
<td>Kiddi Kollege at Prairie Farms</td>
<td>Olathie</td>
<td>Johnson</td>
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<td>S-MO14-0050</td>
<td>Fallbrook</td>
<td>Olathie</td>
<td>Johnson</td>
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<tr>
<td>S-MO14-0224</td>
<td>Kiddi Kollege (Falcon Plaza)</td>
<td>Olathe</td>
<td>Johnson</td>
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<tr>
<td>S-KS55-0281</td>
<td>6th Plat</td>
<td>Overland Park</td>
<td>Johnson</td>
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<tr>
<td>S-KS55-0297</td>
<td>Bluhawk Plaza North</td>
<td>Overland Park</td>
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<tr>
<td>S-KS55-0321</td>
<td>Bluhawk Plaza South</td>
<td>Overland Park</td>
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<tr>
<td>S-KS55-0332</td>
<td>Renovations</td>
<td>Overland Park</td>
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<td>S-KS55-0324</td>
<td>Mills Crossing, 3rd Plat</td>
<td>Overland Park</td>
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<tr>
<td>S-MO28-0381</td>
<td>Breton Circle</td>
<td>Overland Park</td>
<td>Johnson</td>
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<tr>
<td>S-MO28-0405</td>
<td>Villas at Metcalf Village</td>
<td>Overland Park</td>
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<td>S-MO28-0425</td>
<td>7601 &amp; 7641 Frontage Road</td>
<td>Overland Park</td>
<td>Johnson</td>
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<tr>
<td>S-KS68-0091</td>
<td>Estates at Timber Springs</td>
<td>Shawnee</td>
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<td>S-KS68-0323</td>
<td>Meadow of Chapel Creek</td>
<td>Shawnee</td>
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<td>S-KS68-0324</td>
<td>Cunningham Water System</td>
<td>Shawnee</td>
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<tr>
<td>S-AR27-0007</td>
<td>Improvements 2012</td>
<td>Cunningham</td>
<td>Kingman</td>
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<td>S-AR27-0011</td>
<td>KDOT Project 4A-065-01</td>
<td>Cunningham</td>
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<td>S-AR42-0004</td>
<td>Arts Center</td>
<td>Haskell</td>
<td>Kiowa</td>
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<td>S-NE55-0046</td>
<td>Extension Center</td>
<td>Parsons</td>
<td>Labette</td>
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<tr>
<td>S-KS04-0031</td>
<td>Fox Ridge of Prairie Gardens</td>
<td>Basehor</td>
<td>Leavenworth</td>
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<tr>
<td>S-NF24-0071</td>
<td>H.J. Baker Facility</td>
<td>Emporia</td>
<td>Lyon</td>
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<tr>
<td>S-MC20-0045</td>
<td>South Suburban Business Park-</td>
<td>Louisburg</td>
<td>Miami</td>
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<tr>
<td>S-LA11-0015</td>
<td>Fox Fire Addition</td>
<td>McPherson</td>
<td>McPherson</td>
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<tr>
<td>S-KS38-0183</td>
<td>Whispering Meadows, Unit 1</td>
<td>Manhattan</td>
<td>Potawatomi</td>
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<td>S-KS38-0272</td>
<td>Abbott’s Landing</td>
<td>Manhattan</td>
<td>Potawatomi</td>
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<td>S-KS38-0329</td>
<td>Heritage Square North</td>
<td>Manhattan</td>
<td>Potawatomi</td>
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<td>S-KS66-0023</td>
<td>Development: Phase 1</td>
<td>St George</td>
<td>Potawatomi</td>
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<tr>
<td>S-AR49-0021</td>
<td>Ashton Estates</td>
<td>Hutchinson</td>
<td>Reno</td>
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<td>S-AR49-0139</td>
<td>Windsor Estates</td>
<td>Hutchinson</td>
<td>Reno</td>
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<tr>
<td>S-AR49-0152</td>
<td>Panda Center</td>
<td>Hutchinson</td>
<td>Reno</td>
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<tr>
<td>S-LA0-0002</td>
<td>2013 Water System</td>
<td>Emporia</td>
<td>Rice</td>
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<tr>
<td>S-KS97-0161</td>
<td>Custer Hill Pool Repair</td>
<td>Ft. Riley</td>
<td>Riley</td>
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<tr>
<td>S-KS38-0233</td>
<td>Scenic Woods Development</td>
<td>Manhattan</td>
<td>Riley</td>
</tr>
<tr>
<td>S-KS38-0332</td>
<td>Northwing, Unit 2</td>
<td>Manhattan</td>
<td>Riley</td>
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<tr>
<td>S-KS51-0012</td>
<td>River Trail Addition–Unit 2</td>
<td>Ogden</td>
<td>Riley</td>
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<td>S-SH33-0162</td>
<td>Coachlight Lane Development</td>
<td>Salina</td>
<td>Salina</td>
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<tr>
<td>S-WA01-0078</td>
<td>ACE Derby</td>
<td>Andover</td>
<td>Sedgwick</td>
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<tr>
<td>S-AR29-0093</td>
<td>Carryage Crossing Temporary</td>
<td>Maize</td>
<td>Sedgwick</td>
</tr>
<tr>
<td>S-AR58-0021</td>
<td>Access Road</td>
<td>Lot 1, Block 1</td>
<td>Sedgwick</td>
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<tr>
<td>S-AR94-1123</td>
<td>Medical Park</td>
<td>Wichita</td>
<td>Sedgwick</td>
</tr>
<tr>
<td>S-AR94-1203</td>
<td>Dave Neal Office</td>
<td>Wichita</td>
<td>Sedgwick</td>
</tr>
</tbody>
</table>

Proposed Action: The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under the Construction Stormwater General Permit for the above-named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

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 29, 2020, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-Q-20-007/008) 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 [http://www.kdheks.gov/feedlots](http://www.kdheks.gov/feedlots). 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

State of Kansas

Insurance Department

Notice of Changes in Pharmacy Networks

Pursuant to K.S.A. 40-2,153, the Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas.

Aetna Health, Inc. and Aetna Life Insurance Company has notified the Department of the following additions and deletions to their pharmacy HMO and PPO networks:

### Additions

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damm Pharmacy</td>
<td>1412 N. Woodlawn</td>
<td>Derby</td>
<td>KS</td>
</tr>
<tr>
<td>Corner Drug &amp; Gift, Inc.</td>
<td>823 Morgan Ave.</td>
<td>Downs</td>
<td>KS</td>
</tr>
<tr>
<td>Gibson’s Pharmacy</td>
<td>2401 Central Ave.</td>
<td>Dodge City</td>
<td>KS</td>
</tr>
<tr>
<td>CareATC-Overland 60111</td>
<td>6700 College Blvd., Suite 100</td>
<td>Overland Park</td>
<td>KS</td>
</tr>
<tr>
<td>White Cloud Health Center Pharmacy</td>
<td>3349B Thrasher Rd.</td>
<td>White Cloud</td>
<td>KS</td>
</tr>
<tr>
<td>Derby Drug</td>
<td>1101 N. Rock Rd.</td>
<td>Derby</td>
<td>KS</td>
</tr>
<tr>
<td>IMC- South</td>
<td>7030 S. Broadway Ave.</td>
<td>Haysville</td>
<td>KS</td>
</tr>
<tr>
<td>FHC Pharmacy</td>
<td>340 Southwest Blvd.</td>
<td>Kansas City</td>
<td>KS</td>
</tr>
<tr>
<td>Andover Drug</td>
<td>307 W. Hwy. 54, Suite 200</td>
<td>Andover</td>
<td>KS</td>
</tr>
<tr>
<td>IMC- East</td>
<td>5838 E. Central Ave.</td>
<td>Wichita</td>
<td>KS</td>
</tr>
<tr>
<td>CareATC-Reflection Ridge 27820</td>
<td>7570 W. 21st St., Bldg. 1006</td>
<td>Wichita</td>
<td>KS</td>
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<tr>
<td>Rose Hill Pharmacy</td>
<td>323 N. Rose Hill Rd.</td>
<td>Rose Hill</td>
<td>KS</td>
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<tr>
<td>IMC–West</td>
<td>4722 W. Kellogg Dr.</td>
<td>Wichita</td>
<td>KS</td>
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<tr>
<td>Montezuma Drug</td>
<td>300 N. Aztec St.</td>
<td>Montezuma</td>
<td>KS</td>
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<tr>
<td>Hill City Pharmacy</td>
<td>211 Broadway St.</td>
<td>Cottonwood Falls</td>
<td>KS</td>
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<tr>
<td>Sigler Prairie Star Pharmacy 3</td>
<td>2351 Prairie Star Pkwy., Suite A115</td>
<td>Lenexa</td>
<td>KS</td>
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<tr>
<td>Genesis Family Health</td>
<td>712 St. John St.</td>
<td>Garden City</td>
<td>KS</td>
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<tr>
<td>Andover Drug</td>
<td>307 W. Hwy. 54, Suite 200</td>
<td>Andover</td>
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Cigna HealthCare of St. Louis, Inc. and affiliates, CGLIC and CHLIC has notified the Department of the following additions and deletions to their pharmacy network:

### Additions

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<thead>
<tr>
<th>Facility Name</th>
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<tbody>
<tr>
<td>Spira Care Shawnee</td>
<td>10824 Shawnee Mission Pkwy.</td>
<td>Shawnee</td>
<td>KS</td>
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Humana Health Plan and Humana Insurance Company Pharmacy Network has notified the Department of the following additions or deletions to their pharmacy network:

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<tr>
<td>Damm Pharmacy</td>
<td>1412 N. Woodlawn</td>
<td>Derby</td>
<td>KS</td>
</tr>
<tr>
<td>Corner Drug &amp; Gift, Inc.</td>
<td>823 Morgan Ave.</td>
<td>Downs</td>
<td>KS</td>
</tr>
<tr>
<td>Gibson’s Pharmacy</td>
<td>2401 Central Ave.</td>
<td>Dodge City</td>
<td>KS</td>
</tr>
<tr>
<td>CareATC-Overland 60111</td>
<td>6700 College Blvd., Suite 100</td>
<td>Overland Park</td>
<td>KS</td>
</tr>
<tr>
<td>White Cloud Health Center Pharmacy</td>
<td>3349B Thrasher Rd.</td>
<td>White Cloud</td>
<td>KS</td>
</tr>
<tr>
<td>Derby Drug</td>
<td>1101 N. Rock Rd.</td>
<td>Derby</td>
<td>KS</td>
</tr>
<tr>
<td>IMC- South</td>
<td>7030 S. Broadway Ave.</td>
<td>Haysville</td>
<td>KS</td>
</tr>
<tr>
<td>FHC Pharmacy</td>
<td>340 Southwest Blvd.</td>
<td>Kansas City</td>
<td>KS</td>
</tr>
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<td>Andover Drug</td>
<td>307 W. Hwy. 54, Suite 200</td>
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<tr>
<td>IMC- East</td>
<td>5838 E. Central Ave.</td>
<td>Wichita</td>
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<tr>
<td>CareATC-Reflection Ridge 27820</td>
<td>7570 W. 21st St., Bldg. 1006</td>
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Genesis Family Health | 712 St. John St. | Garden City | KS
Andover Drug | 307 W. Hwy. 54, Suite 200 | Andover | KS

Any questions should be directed to the Insurance Department at 785-296-3071.

Vicki Schmidt
Insurance Commissioner

State of Kansas

Governmental Ethics Commission

Opinion No. 2020-01

Written January 22, 2020 to Ms. Katie Whisman, Executive Officer, Kansas Bureau of Investigation, 1620 SW Tyler, Topeka, KS 66612-1837.

Synopsis: Under the facts provided, KBI Executive Officer Whisman may accept immediate employment with one of a group of associated businesses, despite her substantial involvement in the making of contracts in her official position with the state that would prohibit her employment with another of the associated businesses for two years from the date her state employment ends.


Dear Ms. Whisman:

We understand that, in your capacity as the executive officer for the Kansas Bureau of Investigation (KBI), you request our opinion concerning application of the state governmental ethics law, K.S.A. 46-215 et seq. Our opinion in response to your request is limited in its applicability. This opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

As indicated in your opinion request, since July 2018, as KBI executive officer you were substantially involved in the making of three separate contracts between the KBI and a group of associated businesses under common ownership

- In July 2018 the KBI released a Request for Proposal (RFP) for development of a webinar-based video training series for law enforcement. The RFP was let for competitive bid and notice was published in the Kansas Register. The procurement process was through the Kansas Department of Administration. After vetting the proposals received in response to the request, MotoVike Films was selected. The contract was executed between KBI and The Premier Advisory Group on August 23, 2018.
- In January 2019, after having received approval from the Department of Administration, the KBI entered into a sole-source contract with the Bajillion Agency, for development of a statewide public awareness campaign.
- In October 2019, the KBI entered into a sole-source contract with the Bajillion Agency for the purpose of hosting a website that was developed in furtherance of the public awareness campaign.

MotoVike Films, a video and film production agency, and Bajillion Agency, a full-service marketing and advertising agency, are separate limited liability companies registered with the Kansas secretary of state. The Premier Advisory Group, a provider of marketing, business coaching and consulting, is a Colorado corporation registered as a foreign business with the Kansas secretary of state.

All three businesses have the same owner. Common fiscal accounting and payroll are a function of The Premier Advisory Group. All share office space in the same building but each businesses’ employees are segregated in separate areas of the office. Their overhead sharing arrangement allows for cost savings. Aside from this, each business maintains a separate and distinct management. Each business has separate decision apparatuses, including: executive officers and employees that are not commingled among the businesses. Neither the owner nor The Premier Advisory Group are involved in active management of MotoVike Films and Bajillion Agency. In fiscal matters, the owner is involved to secure business loans. The owner, because of The Premier Group’s common handling of fiscal accounts for all three businesses, the owner may be involved in major business decisions. For example, obtaining a business loan or the purchase of equipment, like a $3,500 camera.

KBI Executive Officer Whisman (Whisman) has received a job offer with The Premier Advisory Group as a business development director. The position would involve identifying new business clients and their needs. Where the needs would require the types of services offered by MotoVike Films and Bajillion Agency, clients would then be referred to the appropriate business.

Questions

Under the provided facts, may the offer of employment by The Premier Advisory Group be accepted without violating the K.S.A. 46-233 limitation on post-state employment with a person or business which contracted with the state within the preceding two years?

Analysis and Opinion

The state ethics law which may limit a state employee’s acceptance of employment after working for the state is K.S.A. 46-233. It provides in pertinent part:

(a) … (2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner. This prohibition on accepting employment shall not apply in any case where a state officer or employee who participated in making a contract while employed by the state of Kansas is laid off or scheduled to be laid off from any state position on or after July 1, 2002. As used in this subsection (a)
(2), “laid off” and “layoff” mean a state officer or employee in the classified service under the Kansas civil service act, being laid off under K.S.A. 75-2948, and amendments thereto.

... 

(d) Subsections (a) and (b) shall not apply to the following:
(1) Contracts let after competitive bidding has been advertised for by published notice; and
(2) contracts for property or services for which the price or rate is fixed by law.

The July 2018 contract executed August 23, 2018, between the KBI and The Premier Group was let for competitive bids and the RFP was published in the Kansas Register. The exception in K.S.A. 46-233(d) therefore applies to the subparagraph (a)(2) waiting period and post-state employment with The Premier Group is not limited.

We are of the opinion that The Premier Advisory Group and Bajillion Agency, although associated for fiscal purposes, are not the same business. Each business entity is registered as a separate business, each have separate executive officers and employees that are not commingled. The proposed employment of Whisman by The Premier Advisory Group does not make Whisman an employee of Bajillion Agency. Thus, the January and October 2019 contracts between the KBI and Bajillion Agency do not bar or impede Whisman’s post state employment with The Premier Advisory Group. We are further of the opinion that Ms. Whisman may not transfer employment to, or otherwise accept, employment with Bajillion Agency for two years from the date her state employment terminates.

Conclusion

Under the facts provided, KBI Executive Officer Whisman may accept immediate employment with The Premier Advisory Group and not violate the provisions of the Kansas governmental ethics laws, K.S.A. 46-215 et seq.

Sincerely,

Mark Skoglund
On behalf of Nicholas Hale, Chairman
By Direction of the Commission

Doc. No. 047853

State of Kansas
Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. Tuesday, February 18, 2020, in the conference room in the office of the Kansas Development Finance Authority (the “Authority”), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the Authority to issue its tax-exempt qualified 501(c)(3) Revenue Bonds (the “Bonds”) on behalf of (1) the University of Kansas Medical Center Research Institute, Inc., a Kansas not-for-profit corporation, and (2) the University of Kansas Center for Research, Inc., a Kansas not-for-profit corporation, each affiliated with the University of Kansas (the “University”), in a principal amount not to exceed $25,000,000 to refund the Authority’s (a) Revenue Bonds (University of Kansas Medical Center Research Institute, Inc. Project), Series 2010N (the “Series 2010N Bonds”), (b) Refunding Revenue Bonds, Series 2012D (University of Kansas Projects) (the “Series 2012D Bonds”), and (c) Refunding Revenue Bonds, Series 2012E-1 (University of Kansas Center for Research, Inc. Project) (the “Series 2012E-1 Bonds”). The proceeds of (i) the Series 2010N Bonds were used to support university research programs, including the costs of renovating the Hixon/Wahl East/Wahl laboratory complex located on the campus of the University of Kansas Medical Center at the corner of 39th Ave. and Rainbow Blvd. in Kansas City, Kansas and owned and operated by the University, (ii) the portion of the Series 2012D Bonds issued as qualified 501(c)(3) bonds were used to refinance the costs of the acquisition, construction and equipping of a child care facility located on the campus of the University at 1605 Irving Hill Rd., Lawrence, Kansas, and operated by Hilltop Child Development Center, Inc., a Kansas not-for-profit corporation, and (iii) the Series 2012E-1 Bonds were used to refinance the costs of certain research facilities of the University of Kansas Center for Research, Inc. located on the campus of the University at 2030 Becker Dr., Lawrence, Kansas.

The Bonds will be issued pursuant to K.S.A. 74-8901 et seq. (the “Act”). The Bonds, when issued, will be a limited obligation of the Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will the Bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Bonds will be payable solely and only from revenues pledged by the University in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Bonds as and when they shall become due.

At the hearing, all individuals who appear will be given an opportunity to express their views for or against the issuance of the above referenced refinancing bond issue, and all written comments previously filed with the Authority at its offices at 534 S. Kansas Ave., Suite 800, Topeka, KS 66603 will be considered. Additional information regarding the projects described above may be obtained by contacting the Authority at the address of its office shown above.

Rebecca Floyd
President

State of Kansas
Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Friday, February 14, 2020, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project number below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of (continued)
the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

**Project No. 001053 Maximum Principal Amount:** $100,227.92. Owner/Operator: Tanner and Avery Gatz; Description: Acquisition of 67 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the “Project”). The Project is being financed by the Lender for Tanner and Avery Gatz (the “Beginning Farmer”) and is located at Section 29, Darlington Township, Harvey County, Kansas, approximately 6 miles south of Newton, Kansas.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the KDFA at its offices at 534 S. Kansas Ave, Suite 800, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFA.

Rebecca Floyd
President

**State of Kansas**

**Legislative Administrative Services**

**Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced January 17-22 during the 2020 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at [http://www.kslegislature.org/li/](http://www.kslegislature.org/li/).

**House Bills**

**HB 2456**, AN ACT concerning crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; possession, and repealing the existing sections, by Representatives Samsel, Baker, Bishop, Carlson, Collins, Concordon, Dietrich, Finney, Hineman, Hoheisel, Horn, Kissinger, Lusk, Mastroni, Moore, Obahosim, Owens, Pittman, Probst, Ruiz, S., Schreiber, Smith, A., Thompson, Wolfe Moore and Woodard.

**HB 2460**, AN ACT concerning income taxation; relating to credits; providing a credit for qualified railroad track maintenance expenditures of short line railroads, by Committee on Taxation.

**HB 2461**, AN ACT enacting the public litigation coordination act; relating to contracts by public entities for legal services on a contingent fee basis; powers and duties of the attorney general, by Committee on Judiciary.

**HB 2462**, AN ACT concerning agriculture; relating to the Kansas department of agriculture division of conservation; amending K.S.A. 2-1916, 49-605, 49-611, 49-613, 49-618, 49-620, 49-623, 82a-1602, 82a-1603, 82a-1607 and 82a-1702 and K.S.A. 2019 Supp. 2-1903, 2-1904, 2-1907, 2-1907c, 2-1908, 2-1915, 2-1930, 2-1931, 2-1933, 49-603, 49-606 and 49-621 and repealing the existing sections; also repealing K.S.A. 49-619, by Committee on Agriculture.

**HB 2463**, AN ACT concerning agriculture; relating to pesticides; the licensure of persons applying pesticides; the permitting of persons utilizing chemigation; amending K.S.A. 2-2448, 2-2467a and 2-3310 and K.S.A. 2019 Supp. 2-2440, 2-2449 and 2-2450 and repealing the existing sections, by Committee on Agriculture.

**HB 2464**, AN ACT concerning agriculture; relating to eggs; repackaging requirements for retailers; amending K.S.A. 2019 Supp. 2-2510 and repealing the existing sections, by Committee on Agriculture.

**HB 2465**, AN ACT concerning education; relating to the tax credit for low income students scholarship program act; expanding student eligibility for the program; amending K.S.A. 2019 Supp. 72-4352 and repealing the existing section, by Committee on Education.

**HB 2466**, AN ACT concerning income taxation; enacting the Kansas taxpayer protection act; relating to paid tax return preparers; requiring a signature and tax identification number on returns and claims; authorizing actions by the secretary of revenue to enjoin certain conduct, by Committee on Taxation.

**House Resolutions**

**HR 6027**, A RESOLUTION congratulating and commending Wichita as a 2019 All-America City award winner, by Representatives Bishop and Hoheisel.

**Senate Bills**

**SB 280**, AN ACT concerning health and healthcare; relating to hospitals; requiring a hospital to notify certain governmental entities of closure, by Committee on Federal and State Affairs.

**SB 281**, AN ACT concerning health and healthcare; enacting the healthcare price disclosure act; relating to healthcare services; facilities; providing public disclosure thereof, by Committee on Federal and State Affairs.

**SB 282**, AN ACT concerning health and healthcare; relating to providers; healthcare providers and insurance providers; charge estimates and disclosures; enacting the patient’s right-to-know act, by Committee on Federal and State Affairs.

**SB 283**, AN ACT concerning gaming; relating to the Kansas expanded lottery act; Kansas lottery and Kansas racing and gaming commission, rules and regulations; authorizing sports wagering; creating the sports wagering receipts fund, executive director of the Kansas lottery; white collar crime fund, governor; amending K.S.A. 46-2301, 74-8702, 74-8710, 74-8711, 74-8716, 74-8718, 74-8733, 74-8734, 74-8751, 74-8752, 74-8757, 74-8758, 74-8760, 74-8772 and 79-4806 and K.S.A. 2019 Supp. 21-6803, 21-6507 and 21-6508 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 284**, AN ACT concerning accessible parking; relating to permanent placards issued to school districts and interlocal cooperatives; amending K.S.A. 2019 Supp. 8-1,125 and repealing the existing section, by Committee on Education.

**SB 285**, AN ACT concerning health and environment; relating to the Kansas storage tank act; extending the existence of the UST redevelopment fund compensation advisory board and UST redevelopment fund; amending K.S.A. 65-34,134 and repealing the existing section, by Committee on Agriculture.

**SB 286**, AN ACT concerning health and environment; relating to the Kansas storage tank act; extending the existence of the underground fund and aboveground fund and increasing the maximum liability thereof; repealing K.S.A. 65-34,120 and 65-34,123 and repealing the existing sections, by Committee on Agriculture and Natural Resources.
SB 287, AN ACT concerning health and environment; relating to the Kansas storage tank act; underground storage tank replacement and reimbursement; amending K.S.A. 65-34,119 and 65-34,139 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 288, AN ACT concerning roads and highways; designating a portion of United States highway 77 as the Cpl. Allen E. Oatney and SP4 Gene A. Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section, by Committee on Transportation.

SB 289, AN ACT concerning insurance; relating to version of risk-based capital instructions in effect; amending K.S.A. 2019 Supp. 40-201 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 290, AN ACT concerning certain state officers; pertaining to the securities commissioner and the commissioner of insurance; updating the appointment and removal authority; amending K.S.A. 75-6301 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 291, AN ACT concerning insurance; relating to anti-fraud investigations; granting subpoena and investigative powers to the commissioner of insurance; requiring special law enforcement training of investigators before carrying firearms; amending K.S.A. 40-103 and 74-5602 and K.S.A. 2019 Supp. 40-113 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 292, AN ACT concerning insurance; relating to property and casualty insurance; pertaining to excess lines coverage; providing for flexibility in certain penalties assessed by the commissioner; amending K.S.A. 17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 46-236, 75-451, 75-452, 75-453, 75-454, 75-455, 75-456, 75-457 and 75-458 and K.S.A. 2019 Supp. 17-1762 and 25-2435 and repealing the existing sections, by Committee on Judiciary.

SB 294, AN ACT concerning property taxation; relating to tax rates; truth in taxation; establishing notice and public hearing requirements prior to approval to exceed certified tax rate, by Senators Tyson, Alley, Braun, Estes, Goddard, Hilderbrand, Kerschen, Longbine, Lynn, Masterson, Olson, Petersen, Thompson, Wagle and Wilborn.

SB 295, AN ACT concerning property taxation; relating to valuation of real property; prohibiting valuation increase solely as the result of normal repair, replacement or maintenance; amending K.S.A. 79-1460 and repealing the existing section, by Senators Tyson, Alley, Braun, Estes, Goddard, Hilderbrand, Longbine, Lynn, Masterson, Olson, Petersen, Thompson, Wagle and Wilborn.

SB 296, AN ACT concerning zoning; relating to rezoning; amending K.S.A. 2019 Supp. 12-757 and repealing the existing section, by Committee on Assessment and Taxation.

SB 297, AN ACT concerning property taxation; relating to appraisal standards; requiring compliance with uniform standards of professional appraisal practice; removing rules and regulations authority; amending K.S.A. 79-305 and repealing the existing section, by Committee on Assessment and Taxation.

SB 298, AN ACT concerning property taxation; relating to classification of property; appeals; requiring the county to pay reasonable attorney fees and costs of prevailing taxpayer; amending K.S.A. 79-2005 and repealing the existing section, by Committee on Assessment and Taxation.

SB 299, AN ACT concerning elections; relating to the campaign finance act; expanding coverage to include unified school districts with 5,000 or more students and community colleges; amending K.S.A. 2019 Supp. 25-4143 and repealing the existing section, by Committee on Assessment and Taxation.

SB 300, AN ACT concerning agriculture; relating to milk and dairy products; prohibiting the on-farm retail sales of milk or milk products; amending K.S.A. 65-771, 65-773 and 65-789 and repealing the existing sections; also amending K.S.A. 65-784, by Committee on Agriculture and Natural Resources.

Senate Resolutions

SR 1747, A RESOLUTION relating to assignment of seats of the Senate, by Senators Wagle, Denning and Hensley.

SR 1748, A RESOLUTION recognizing the Roy’Ale Foundation for its work to provide mentoring and tutoring services for youth in the Wichita community in honor of Roy’Ale Spencer, by Senator Faust-Goudeau.

Doc. No. 04857