

SESSION OF 2005

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2399**

As Recommended by House Committee on  
Appropriations

**Brief\***

HB 2399 concerns architectural and engineering services provided by the Department of Administration. The bill would change the existing single percentage concept to a fee structure based on the services provided and the complexity of the project. For construction projects that require selection of an architectural or engineering firm, the current 1.0 percent fee would be eliminated and fees would be set based on the project's size and complexity. For projects designed by the Department of Administration's in-house architects or engineers, the bill eliminates the 8.0 percent design fee and allows for negotiated fees between the Department of Administration and affected agencies.

Provisions included in this bill were attached to the Board of Regents FY 2005 appropriation for the state universities during the 2004 Legislative Session. HB 2399 would formalize those provisions and extend them to other state agencies.

**Background**

Representatives of the Division of Facilities Management of the Department of Administration and the Board of Regents testified in support of the bill.

According to the fiscal note submitted by the Division of the Budget, the Board of Regents estimates that this bill would continue to reduce the architectural and engineering fees paid to the Department of Administration on future projects, as some of the universities have in-house design professionals available and their projects tend to be large.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The fiscal note indicates that the Adjutant General's Department estimates its budget would be affected by this change. With approximately \$10.0 million of armory bond funds still to be used, it anticipates it would cost the agency an additional 1.0 percent, or \$100,000, in bond funds for fees. At the present time, all projects are charged the same percentage fee regardless of the amount of work that is required. Small projects would cost a larger percentage. Since most of its projects are considered smaller projects, the Adjutant General anticipates costs would increase.