

Kansas Register

Volume 44

Issue 15 - April 10, 2025

Rates

Pooled Money Investment Board

[Notice of Investment Rates April 7 – April 13, 2025](#)

Notices

Kansas Department of Administration – Office of Accounts and Reports

[Notice of Petroleum Storage Tank Release Trust Fund Unobligated Balances for April 2025](#)

Skyward Credit Union

[Notice of Field of Membership Change](#)

Wichita State University

[Notice of Intent to Lease Real Property at Innovation Campus, Wichita, Kansas](#)

Fort Hays State University

[Corrected Notice of Intent to Lease Real Property on the University Farm](#)

Kansas Department of Administration – Office of Procurement and Contracts

[Notice to Bidders for State Purchase](#)

Kansas State Board of Regents Universities

[Notice to Bidders for University Purchase](#)

Kansas Department of Agriculture – Division of Conservation

[Notice to Contractors for Big Creek Watershed Joint District No. 48 Detention Dam Rehabilitation Project in Woodson County](#)

City of Overland Park, Kansas

[Notice to Consulting Firms for Overland Park Safety Action Plan](#)

Kansas Insurance Department

[Notice of Changes in Pharmacy Networks for 1st Quarter 2025](#)

Kansas Department of Health and Environment

[Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications](#)

[Notice of Proposed Kansas Air Quality Construction Permit and Class II Operating Permit for Mid-Continent Fractionation & Storage, LLC – Conway Underground East](#)

[Notice of Proposed Kansas Air Quality Class I Operating Permit Renewal for HME, Inc.](#)

[Notice of Hearing for Harcos Chemicals, Inc.](#)

Kansas Department for Aging and Disability Services

Kansas Department of Health and Environment – Division of Health Care Finance

[Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2026](#)

Kansas City Kansas Community College

[Request for Proposals for Athletic Field Roof Replacement](#)

Kansas & Oklahoma Railroad

[Request for Proposals for Bridge Rehabilitation Project Between Albert, Kansas and Dighton, Kansas](#)

[Request for Proposals for Meridian Wye Upgrade Project](#)

South Kansas & Oklahoma Railroad

[Request for Proposals for Rail Relay Project Near Fall River, Kansas](#)

[Request for Proposals for Bridge Rehabilitation Project in Coffeyville, Kansas](#)

[Request for Proposals for Interlock Upgrade Project in Cherryvale, Kansas](#)

Kansas Register

Volume 44

Issue 15 - April 10, 2025

Kansas Department of Transportation

- [Request for Proposals for Embedded State Highway System Bridge Inspection Services](#)
- [Request for Proposals for Embedded Traffic Engineer](#)
- [Request for Proposals for Statewide Rail and Freight Plan Updates](#)
- [Request for Proposals for Existing and Proposed Right-of-Way Services for Projects in Multiple Counties](#)
- [Request for Proposals for Proposed Right-of-Way Services for Projects in Multiple Counties](#)
- [Request for Proposals for Construction Inspection Services for Projects in Multiple Counties](#)

Executive Branch

Secretary of State

- [Notice of Business Forfeiture for February 2025](#)

New State Laws

Kansas Legislature

- [Senate Bill 6](#), concerning elections; prohibiting the use of any form of ranked-choice voting methods in conducting elections
- [Senate Bill 77](#), concerning administrative rules and regulations; requiring state agencies to provide notice of revocation thereof; removing certain abolished or inactive state agencies from the five-year agency review requirement
- [Senate Bill 105](#), concerning real property; relating to covenants, conditions or restrictions; providing that certain covenants, conditions or restrictions on property owned by a state educational institution that restrict the use of real property to be only for single-family residence purposes or from being used for any purpose other than a single-family residence, and contain discriminatory provisions to restrict ownership or tenancy by race are void
- [Senate Substitute for House Bill 2054](#), concerning elections; relating to campaign contribution limits; increasing the limits on certain campaign contributions
- [House Bill 2110](#), concerning emergency communication services; relating to the Kansas 911 act; eliminating the requirement that the state 911 board shall contract with a local collection point administrator for services; rescheduling the date on which the state 911 operations fund, state 911 grant fund and state 911 fund shall be established in the state treasury; rescheduling the date on which all moneys collected pursuant to the Kansas 911 act are to be transferred to the state treasury; requiring certain transfers to be made to the state 911 operations fund; authorizing the state 911 board to transfer annually any unencumbered moneys of the state 911 operations fund to the state 911 grant fund

Regulations

Index to administrative regulations

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 4-7-25 through 4-13-25

Term	Rate
1-89 days	4.33%
3 months	4.23%
6 months	4.13%
12 months	3.96%
18 months	3.87%
2 years	3.81%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

State of Kansas

Department of Administration Office of Accounts and Reports

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of Accounts and Reports show the unobligated balances are \$7,939,698.89 in the Underground Petroleum Storage Tank Release Trust Fund and \$5,203,841.10 in the Aboveground Petroleum Storage Tank Release Trust Fund at March 31, 2025.

Nancy Ruoff
Director
Office of Accounts and Reports
Department of Administration

Doc. No. 053015

(Published in the Kansas Register April 10, 2025.)

Skyward Credit Union

Notice of Field of Membership Change

Skyward Credit Union, located at 4 Cessna Blvd., Wichita, KS 67215, intends to alter its field of membership. An application has been filed with the Kansas Department of Credit Unions to change or alter its field of membership by adding the following membership criteria:

- Eligible Aviation Professionals: Individuals engaged in any sector of the aviation industry, including general, commercial, or military aviation, aerospace, and related fields.
- Residents and Employees in Designated Counties: Individuals who reside in or are employed within Sedgwick, Butler, or Harvey counties.

Kevin Brittain
President and CEO
Skyward Credit Union

Doc. No. 053011

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, real property located on the Wichita State University's campus designated as the "Innovation Campus" for the private development and operation of a partnership building or buildings. There are three separate building sites available for private development. Proposals may be submitted for one or more of the sites. Each site is approximately one to two and a half acres in area, and will be customized based on the proposal for the respective site. Site #1 is located east of Woolsey Hall. Site #2 is located on the northwest corner of 17th and Innovation Boulevard. Site #3 is located on the northwest corner of 17th and Oliver. The university intends to lease each site for a mutually agreeable period, not to exceed sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to 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: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that may not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/ use of building improvement, and benefit to the university. The university is interested in proposals from any individual, organization or entity, for the development of a building or buildings to provide rental space available for occupants who are committed to advancing the university's mission and vision as an education, cultural, and economic driver for Kansas and the greater public good, and aligning with the university's research and applied learning goals. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu or Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@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. 052900

State of Kansas

Fort Hays State University

Corrected Notice of Intent to Lease Real Property

(Editor's Note: The notice that was published in the April 3, 2025 issue listed the wrong number of acres and wrong location of the property. The correct size and location of the property have been corrected and published below.)

Public notice is hereby given that Fort Hays State University (FHSU) intends to lease approximately 320.5 acres of real property located on the University Farm, Western half (W2) of Section 08, Township 14S, Range 18W, Ellis County, Kansas, subject to any required state approvals. The lease will be from May 2025 through December 2026 for the purpose of promoting collaborative research involving FHSU faculty and students, Kansas State University, and the private industry. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the FHSU community, and must agree to essential ground lease terms. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to FHSU, design concepts, financial stability, and proposed use. Rental rate shall be based on fair market value and negotiable based on the term of lease, purpose/use of land improvement, and benefit to the university. If interested, please contact Purchasing Director Kathy Herrman at kaherrman@fhsu.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Wesley D. Wintch
Vice President for Administration and Finance
Fort Hays State University

Doc. No. 052992

State of Kansas

Department of Administration Office of Procurement and Contracts

Notice to Bidders

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

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

04/22/2025	EVT0010253	On-Call Water Based Fire Protection Systems, Annual Testing, Inspecting, Maintenance and Repair – OFPM
04/23/2025	EVT0010248	Drawdown Tower Project – KDWP
04/30/2025	EVT0010228	Bedbug Treatment – On-Call Services – Hutchinson Correctional Facility
05/01/2025	EVT0010254	Sharon Springs Repaving Project – KDOT
05/07/2025	EVT0010249	Universal Forms – KDHE
05/08/2025	EVT0010256	Firefighter Physicals – Adjutant General
05/08/2025	EVT0010260	Digger Derrick Truck – KDOT
05/14/2025	EVT0010251	Central Kansas Water Bank Review – Department of Ag

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

04/29/2025	A-015065	Office Area Re-Roof Printing Plant–OFPM
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Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman
Director
Office of Procurement and Contracts
Department of Administration

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: 620-341-5137, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, 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://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: kspurch@k-state.edu.

Pittsburg State University – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: purch@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/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: purchasing@ku.edu. Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

University of Kansas Medical Center – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: hunkemoore@kumc.edu. The University of Kansas Medical Center accepts only electronic bids.

Wichita State University – Bid postings: https://www.wichita.edu/services/purchasing/Bid_Documents/BidDocuments.php. Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Jim Hughes
Director of Purchasing
Pittsburg State University

State of Kansas

Department of Agriculture Division of Conservation

Notice to Contractors

Project

Rehab of Detention Dam Site 5 in Woodson County, KS located 2.5 miles west and 6.0 miles south of Gridley, Kansas for Big Creek Watershed Joint District No. 48.

General Scope of Work

Rehabilitation of dam with 740 tons of riprap for wave protection and 70 tons of riprap for stilling basin and 30 tons of riprap for fence barriers totaling 840 tons of riprap repair; 105 feet of new 14-inch PVC principal spillway pipe with canopy inlet; 150-feet of 6-inch PVC drawdown pipe and materials; 12-cubic yards of drainage diaphragm fine sand; associated earthwork; seeding and mulching.

Site Showing

(Non-mandatory) 9:00 a.m. (Central Time) Wednesday, June 4, 2025, at 873 Dobbin Rd., Gridley, KS 66852.

Bid Opening

9:00 a.m. (Central Time) Wednesday, June 11, 2025, at 873 Dobbin Rd. Gridley, KS 66852. Sealed bids will be received by Matt Miller, Engineering Technician, 1524 W. 217th St., Osage City, KS 66523 until 5:00 p.m. the day prior to the opening, or it may be delivered at the time of the opening. Any bid received after the specified times will not be considered.

Bid Documents

Bid documents (constituting Project Manual and Construction Plans) may be submitted as a hard copy or electronically by contacting Matt Miller, Engineering Technician, 1524 W. 217th St., Osage City, KS 66523 at 785-230-4354 or mmiller1@eocene.com.

For any questions pertaining to the project listed above, please contact Matt Miller, Engineering Technician at 785-230-4354 or mmiller1@eocene.com.

Steve Frost
Executive Director
Division of Conservation
Department of Agriculture

Doc. No. 053018

(Published in the Kansas Register April 10, 2025.)

City of Overland Park, Kansas

Notice to Consulting Firms

The City of Overland Park, Kansas (sometimes referred to herein as “City”) is interested in retaining a consulting firm to provide engineering design and plan preparation services for the Overland Park Safety Action Plan (ST-3053), QuestCDN Project Number: 9626238.

The proposal should include project understanding, project approach, relevant experience, staff and availability, communications/public relations, and exceptions to the provided sample agreement, if any. Each proposal shall be limited to ten (10) pages. Cover letter and staff resumes, Byrd Anti-Lobbying Amendment Certification (Exhibit A), and billing rate schedule may be submitted in addition to the 10-page limit. Proposals must be received by QuestCDN.com on or before 2:00 p.m. April 29, 2025. Any proposal received after the designated closing time will not be accepted.

A Technical Review Committee (TRC) shall review the respondents' proposals and shall shortlist the respondents for interviews by May 13, 2025. The City reserves the right to reject any and all proposals, to waive technical defects, and to select the proposal(s) deemed most advantageous to the City.

The RFQ Package is available through QuestCDN.com and is free to download. Those interested in being considered for providing these services can electronically upload a proposal in PDF format for a non-refundable fee of \$10 through <https://questcdn.com>. To access this project, enter the project number listed above on the Requests Search Page on QuestCDN.

For assistance with QuestCDN membership registration, downloading, electronic bidding and working with digital documents, please contact QuestCDN at 1-952-233-1632 or info@questcdn.com. For questions regarding the RFQ Package or for project information, please contact Lorraine Basalo, P.E., Director, Public Works/City Engineer, at lorraine.basalo@opkansas.org or 913-895-6023.

*Note: The Overland Park Safety Action Plan program will receive federal Safe Streets and Roads for All (SS4A) grant funding through the U.S. Department of Transportation (USDOT) and additional funding through the Kansas Department of Transportation (KDOT). Because this funding is allocated for this project all services provided will need to conform to USDOT and KDOT rules and regulations and other applicable federal laws, rules and regulations. Parties interested in providing these services may wish to contact USDOT and KDOT for the latest policies.

Alisha Holcomb
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 053031

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.

Humana Pharmacy Solution, Inc. has notified the Department of the following additions and deletions to the pharmacy network during the first quarter of 2025.

Additions

Facility Name	Street Address	City	State
The West Pharmacy	402 Main St.	Westmoreland	KS
Professional Pharmacy	401 N. Waco St.	Wichita	KS
Healthfirst Pharmacy 2	801 Broadway	Marysville	KS
Centerwell Senior Primary Care	2402 E. 13th St. N	Wichita	KS
Mathis Drugs LTC	400 W. Saint John St.	Girard	KS

Deletions

Facility Name	Street Address	City	State
Professional Pharmacy	401 N. Waco St.	Wichita	KS
Dandurand Drug Co., Inc.	7732 E. Central St.	Wichita	KS
Dandurand Drugstore	4183 E. Harry St.	Wichita	KS
Hart Pharmacy and Home Medical Equipment	6217 E. 13th St. N	Wichita	KS
CVS Pharmacy 08605	2835 SW Wanamaker Rd.	Topeka	KS
Walgreens 11086	2229 S. Main St.	Fort Scott	KS
Dandurand, Inc.	800 N. Carriage Pkwy.	Wichita	KS
Kare Pharmacy of Lansing	2500 S. 4th St.	Leavenworth	KS
Dandurand Compounding, Inc.	2233 N. Ridge Rd., Suite 101	Wichita	KS
Ar-Ex Drug Store	801 Broadway	Marysville	KS
IDC Pharmacy	310 S. Hillside	Wichita	KS
Dandurand Wellness	550 N. Hillside St., Suite 3-100	Wichita	KS
Paradise Roots Pharmacy, Inc.	101 E. Main St.	Hill City	KS
Oshkins Pharmacy	1318 23rd St.	Belleville	KS
Dedicated Senior Medical Center Grove	2402 E. 13th St.	Wichita	KS

Cigna Health and Life Insurance Company, and its affiliates, **Cigna HealthCare of St. Louis, Inc.**, and **CGLIC**, hereby submit notice pursuant to Section 40-2,153 and KID Bulletin 1997-2 with respect to updates made to pharmacy networks in Kansas. The name and address of the contact person for questions regarding these updates is Michael Trottier, Legal Compliance Lead Analyst, Routing B6LPA, 900 Cottage Grove Rd., Hartford, CT 06152. In the first quarter of 2025, the following additions and terminations have taken effect.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Additions

Cigna National 0100 & 0400, Cigna Walgreens Advantage, Cigna CVS 90 Now

Facility Name	Street Address	City	State
CK Pharmacy – Peabody LTC	126 N. Walnut St.	Peabody	KS
Sigler Lenexa LTC	23351 Prairie Star Pkwy., Suite A115	Lenexa	KS
Professional Pharmacy	401 N. Waco St.	Wichita	KS
Healthfirst Pharmacy	801 Broadway	Marysville	KS
Centerwell Senior Primary Care	2402 E. 13th St. N	Wichita	KS
Mathis Drugs, LTC	400 W. Saint John St.	Girard	KS

National Plus 2.0 Version 3

Facility Name	Street Address	City	State
USave Pharmacy	2505 Canterbury Dr.	Hays	KS
Midwest Family Health	317 E. US-36 Hwy.	Smith Center	KS
CK Pharmacy – Peabody LTC	126 N. Walnut St.	Peabody	KS
Sigler Lenexa LTC	23351 Prairie Star Pkwy., Suite A115	Lenexa	KS
Professional Pharmacy	401 N. Waco St.	Wichita	KS
Mathis Drugs, LTC	400 W. Saint John St.	Girard	KS

Deletions

Cigna CVS 90 Now, Cigna National 0100 & 0400, Cigna Walgreens Advantage, National Plus 2.0 Version 3

Facility Name	Street Address	City	State
Professional Pharmacy	401 N. Waco St.	Wichita	KS
Plaza Pharmacy, Inc.	911 N. Main St., Suite 8	Garden City	KS
Abram's Pharmacy, Inc.	5701 State Ave., Suite 200	Kansas City	KS
Walgreens #11086	2229 S. Main St.	Fort Scott	KS
Ar-Ex Drug Store	801 Broadway	Marysville	KS
Paradise Roots Pharmacy, Inc.	101 E. Main St.	Hill City	KS
Oshkins Pharmacy	1318 23rd St.	Belleville	KS
Dedicated Grove	2402 E. 13th St. N	Wichita	KS
Dedicated Senior Glendale	961 S. Glendale St.	Wichita	KS

Any questions should be directed to the Insurance Department at 785-296-7811.

Vicki Schmidt
Insurance Commissioner

Doc. No. 053035

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 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.

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-25-085

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

Schwartz Wilke Farms, LLP
32296 190th St.
Sleepy Eye, MN 56085

Owner of Property Where Facility Will Be Located

Smoky Hills Pork
1713 N. 120th Rd.
Minneapolis, KS 67467

Legal Description

SE/4 of Section 01
T10S, R04W
Ottawa County

Receiving Water

Solomon River Basin

Kansas Permit No. A-SOOT-H001
Federal Permit No. KS0300011

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 14,976 head (5990.4 animal units) of swine weighing more than 55 pounds each and 30,583 head (3,058.3 animal units) of swine weighing less than 55 pounds each for a total of 45,559 head (9,048.7 animal units) of swine. The complete application can be viewed online at <https://www.kdhe.ks.gov/493/Swine-Feedlot-Permit-Applications>, at the office of the Ottawa, County Clerk, the KDHE North Central District Office in Salina, Kansas or the KDHE Main Office in Topeka, Kansas. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-25-086/098

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Carpenter Ranch Feedyard Carpenter Ranch 209 CR U Brewster, KS 67732	NW/4 of Section 29 & SW/4 of Section 20 T07S, R36W Thomas County	Upper Republican River Basin

Kansas Permit No. A-URTH-B003

The proposed action is to reissue an existing state permit for an existing facility for 700 head (700 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Darrell Heinen 2781 Indian Rd. Axtell, KS 66403	NE/4 of Section 21 T02S, R10E Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-B012

The proposed action is to reissue an existing state permit for an existing facility for 120 head (120 animal units) of cattle more than 700 pounds and 348 head (174 animal units) of cattle 700 pounds or less, for a total of 294 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
D. L. Wiebe Todd Wiebe 13936 NW Purity Springs Rd. Burns, KS 66840	NW/4 of Section 29 T23S, R05E Butler County	Walnut River Basin

Kansas Permit No. A-WABU-B014

The proposed action is to reissue an existing state permit for an existing facility for 800 head (800 animal units) of cattle weighing greater than 700 pounds. This is a reduction in the operation and permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Friendship Farms, LLC - #1 1496 Road 210 Lakin, KS 67860	SW/4 & SE/4 of Section 20 T23S, R36W Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-H002
Federal Permit No. KS0094960

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

The proposed action is to modify and reissue an existing NPDES permit for a facility for 43,200 head (17,280 animal units) of swine weighing more than 55 pounds. This permit is being modified to add an anaerobic digester lagoon cover over an existing lagoon and lift stations to collect and transfer waste. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hoxie Feedyard, LLC Scott Foote 3522 N. Road 70 West Hoxie, KS 67740	All of Section 28 & N/2 & SE/4 of Section 33 T07S, R29W Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-C002
Federal Permit No.:KS0117897

The proposed action is to reissue an existing NPDES permit for an existing facility for 80,000 head (80,000 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Lance Coburn 12604 S. Road 100 E Quinter, KS 67752	SW/4 of Section 17 T10S, R26W Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B002

The proposed action is to reissue an existing state permit for an existing facility for of 980 head (980 animal units) of cattle more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Nextgen Cattle Company 31517 Vera Rd. Maple Hill, KS 66507	NE/4 of Section 33 T11S, R12E Wabaunsee County	Kansas River Basin

Kansas Permit No. A-KSWB-B006

The proposed action is to issue a new state permit for a facility for 500 head (500 animal units) of cattle weighing greater than 700 pounds. The facility will consist of open lot pens and a waste management system consisting of a sediment basin, catch basin, and grass buffers. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie View Pork, LLC Nick Brown 5072 E. Road 24 Ulysses, KS 67880	S/2 of Section 27 & S/2 of Section 28 & E/2 of Section 29 T30S, R36W Grant County	Cimarron River Basin

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Kansas Permit No. A-CIGT-H001
Federal Permit No. KS0095427

The proposed action is to modify and reissue an existing NPDES permit for a facility with a total maximum capacity not to exceed 129,600 head (51,840 animal units) of weaned swine weighing up to 70 pounds OR a total maximum capacity not to exceed 64,800 head (25,920 animal units) of finisher swine with an average weight of 150 pounds. This permit is being modified to add anaerobic digester lagoon covers over two existing lagoons and lift stations to collect and transfer waste. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Schwarz Feedlot, Inc. 1326 CR 37 Menlo, KS 67753	E/2 of Section 36 T08S, R31W Thomas County	Solomon River Basin

Kansas Permit No. A-SOTH-C004
Federal Permit No. KS0081337

The proposed action is to reissue an existing NPDES permit for an existing facility for 4,000 head (4,000 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Stigge Feedlot Eric Bekemeyer 1417 18th Rd. Washington, KS 66968	SW/4 of Section 32 T02S, R03E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B013

The proposed action is to reissue an existing state permit for an existing facility for 800 head (800 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dunn Swine, LLC 863 NW 10th Ave. St. John, KS 67576	NE/4 of Section 05 T23S, R13W Stafford County	Lower Arkansas River Basin

Kansas Permit No. A-ARSF-H001
Federal Permit No. KS0089958

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 1,855 head (742 animal units) of swine weighing more than 55 pounds and 2,675 head (267.5 animal units) of swine weighing 55 pounds or less; for a total of 1,009.5 animal units of swine. The facility's NMP was updated to include changes to the application rate limitations. The application rate limitation for two fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Name and Address of Applicant	Legal Description	Receiving Water
Kearny County Feeders, LLC PO Box 109 Lakin, KS 67860	All of Section 04 & N/2 of Section 09 & SE/4 of Section 05 T24S, R36W Kearny County	Upper Arkansas River Basin

Kansas Permit No. A-UAKE-C002
Federal Permit No. KS0036731

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 35,000 head (35,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for their fields. The application rate limitation for two fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Circles, Inc. Bo Nelson 1566 210th Ave. Lewis, KS 67552	SW/4 of Section 21 & NW/4 of Section 28 T26S, R17W Edwards County	Lower Arkansas River Basin

Kansas Permit No. A-ARED-C002
Federal Permit No. KS0088251

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 5,500 head (5,500 animal units) of cattle weighing more than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for their fields. The application rate limitations for six fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-Q-25-054/062

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
Perry Lake Mobile Home & RV Park, LLC 14124 W. 67th St. Shawnee, KS 66216	Kansas River via Little Muddy Creek	Treated Domestic

Permit No. M-KS72-0007
Federal Permit No. KS0119911

Legal Description: SE $\frac{1}{4}$, Section 14, Township 11S, Range 16E, Shawnee County

Location: [39.09052](#), [-95.59985](#)

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: a septic tank, dosing siphon, open sand filter (25 ft. x 25 ft.), and chlorination of effluent. The facility receives domestic wastewater from residential areas. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, and Total Residual Chlorine. The permit contains monitoring for Ammonia, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Glasco, City of 206 E. Main PO Box 356 Glasco, KS 67445	Solomon via Fisher Creek	Treated Domestic

Permit No. M-SO17-OO01
Federal Permit No. KS0100803

Legal Description: SE $\frac{1}{2}$, SE $\frac{1}{4}$, Section 14, Township 8S, Range 5W, Cloud County

Location: [39.35142](#), [-97.83918](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility permit is for a three-cell discharging wastewater stabilization lagoon system with conditions to utilize irrigation. The lagoon has the minimum of 120 days detention time for suitable treatment prior to discharge. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The total detention time at the rated flow is 190 days. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia. The permit contains monitoring for pH, E. coli, Total Phosphorus, Lead, Selenium, and Sulfates.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Rocky Ford Trailer Court 6204 Cedar Creek Rd. Manhattan, KS 66502	Big Blue River	Treated Domestic

Permit No. C-BB25-OO04
Federal Permit No. KS0079201

Legal Description: SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 30, Township 9S, Range 8E, Pottawatomie County

Location: [39.24561](#), [-96.56580](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a two-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. Preceding the lagoon treatment are two (2), 200 gallon septic tanks, which are equivalent to "primary" treatment. The facility serves a trailer court and receives domestic wastewater from the residents. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and E. coli. The permit contains monitoring for pH, Ammonia, Lead, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cornejo & Sons, LLC PO Box 412 Pittsburg, KS 66762	Neosho River via Town Creek via Unnamed Tributary	Process Wastewater

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Permit No. I-NE13-PO04
Federal Permit No. KS0088838

Legal Description: NW¼ of Section 6, Township 35S, Range 21E, Labette County

Location: [37.03055, -95.15468](#)

The proposed action consists of reissuing the above referenced NPDES permit. No significant changes were made to the permit. This is a limestone quarrying and crushing operation, with no washing. Outfall 001A consists of stormwater runoff and quarry pit water. This permit contains generic language to protect water quality.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Whitaker Aggregates, Inc. 555 Delaware Rd. Humboldt, KS 66748	Neosho River via Canville Creek via Little Canville Creek	Process Wastewater

Permit No. I-NE62-PO02
Federal Permit No. KS0099061

Legal Description: SE¼ of Section 12, Township 27S, Range 20E, Neosho County

Location: [37.70831, -95.16246](#)

The proposed action consists of reissuing the above referenced NPDES permit. No significant changes were made to the permit. This is a limestone quarrying and crushing operation, with no washing. Outfall 001A consists of stormwater runoff and quarry pit water and pumping is required, in order for a discharge to occur. This permit contains generic language to protect water quality.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ellsworth County RWD 1 103 N. Douglas Ellsworth, KS 67439	Smoky Hill River via Unnamed Tributary	Process Wastewater

Permit No. I-SH53-PO01
Federal Permit No. KS0099287

Legal Description: NW¼ of Section 11, Township 17S, Range 6W, Ellsworth County

Location: [38.59376, -97.96089](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from the water treatment plant. This is a public water supply treatment plant. On a weekly basis this wastewater averages around 0.02 MGD. Wastewater from the lagoon is Outfall 001A and goes to the receiving stream. In addition, the permittee operates a septic tank/lateral system, permitted by the County, which treats wastewater from floor drains and domestic wastes. This permit contains limits for Total Residual Chlorine, Total Suspended Solids, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Marais des Cygnes Public Utility Authority PO Box 409 Paola, KS 66071	Marais des Cygnes River via Unnamed Tributary	Process Wastewater

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Permit No. I-MC33-PO17
Federal Permit No. KS0099864

Legal Description: SE¼, SE¼, Section 2, Township 18S, Range 23E, Miami County

Location: [38.50762](#), [-94.82851](#)

The proposed action consists of renewal of the above referenced NPDES permit. This is a surface water treatment plant treating raw water from the Marais des Cygnes River with a capacity of 5 MGD. The clarifier settling pond (Monitoring Location 001) receives discharges from the bottom of the clarifiers, in the amount of 0.042 MGD. The filter backwash lagoon (Monitoring Location 002) receives filter backwash water in the amount of 0.018 MGD. Flow from 001 and 002 are comingled for discharge to Outfall 003X, in the amount of 0.06 MGD. Domestic wastes, in the amount of 30 GPD, are routed to a separate, non-discharging lagoon. There is also an inactive (unused) pond located west of the pre-sedimentation basin. This permit contains limits for Total Residual Chlorine, Total Suspended Solids, pH, and Flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Evergy, Inc. – West Gardner Generating Station 818 S. Kansas Ave. Topeka, KS 66612	Bull Creek via Dry Drainage	Process Wastewater

Permit No. I-MC08-PO04
Federal Permit No. KS02000029

Legal Description: NE¼ of the SE¼ of Section 32, Township 14S, Range 22E, Johnson County

Location: [38.78708](#), [-94.98658](#)

The proposed action consists of issuance of a new KWPC/NPDES Water Pollution Control Permit for an existing facility. The West Gardner Generating Station (Facility) is an electric power generation facility. Implementation of the new wet air compression fogging system is needed to increase energy production during peak summer energy use. The wastewater produced from this system is routed through the berm system which flows to the onsite detention basin. The berm system and detention basin have an approximate storage capacity of 35,000 gallons. This will allow the discharge from the detention pond to be metered out over a 12 to 24 hour period, depending on the volume of wastewater generated. The design discharge rate is calculated for the 12 hour period of 0.198 MGD. Domestic Sewage is disposed of on-site using a septic tank and lateral field. This permit contains limits for Total Suspended Solids, Oil and Grease, Total Residual Oxidant, pH, TMDL Phosphorus, and Whole Effluent Toxicity–Chronic. The permit contains monitoring for Flow – MGD, and Temperature. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Name and Address of Applicant	Receiving Stream	Type of Discharge
City of Eskridge 110 S. Main PO Box 156 Eskridge, KS 66423	Kansas River via West Branch of Mill Creek via Lake Wabaunsee via Unnamed Tributary	Process Wastewater

Permit No. I-KS95-PO06
Federal Permit No. KS0100838

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Legal Description: NE¼, NW¼, NE¼ of Section 4, Township 14S, Range 11E, Wabaunsee County

Location: [38.86880](#), [-96.19359](#)

The proposed action consists of renewal of a Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from the water treatment plant. This is a potable water treatment plant that has a design capacity of 0.504 MGD that treats water from Lake Wabaunsee. Lake water is treated with sodium permanganate at the intake to control zebra mussels. Water is then treated with coagulant just prior to the rapid mix basin and an additional coagulant and carbon are injected in the rapid mix basin and sent to two clarifiers for primary sedimentation. Domestic wastes are sent to the city sanitary sewer for treatment. Outfall 001 consists of the discharge from either of the two lagoon cells. This permit contains limits for Total Residual Chlorine, and Total Suspended Solids. The permit contains monitoring for pH.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before May 10, 2025, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-25-086/098, KS-AG-25-085, KS-Q-25-054/062) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. 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.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary
Department of Health and Environment

Doc. No. 053022

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Permit and Class II Operating Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Mid-Continent Fractionation & Storage, LLC–Conway Underground East has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), carbon monoxide (CO), oxides of nitrogen (NO_x), oxides of sulfur (SO_x), and hazardous air pollutants (HAPs) were evaluated during the permit review process. The proposed construction permit contains emission limitations to limit the facility's emissions below the Class I major source thresholds. The new limitations have been incorporated into a draft modification of the facility's Class II Operating Permit, which will also be made available during this comment period.

Mid-Continent Fractionation & Storage, LLC–Conway Underground East, 839 Kiowa Rd., McPherson, KS 67460, owns and operates a facility that loads railcars and tanker trucks with Natural Gas liquids (NGL) located at Section 28, Township 19S, Range 4, McPherson County, KS 67460 at which the facility proposed to use the existing flare instead of two open flame vapor combustion units.

A copy of the proposed permits, permit applications, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office, 3040 Enterprise Dr., Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Prashant Rimal at the central office of KDHE at 785-296-8548, or Jessica Fair at the North Central District Office at 785-515-6706. 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 at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permits to Prashant Rimal, 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, May 12, 2025.

A person may request a public hearing be held on the proposed permits. 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 Prashant Rimal, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, May 12, 2025, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Mid-Continent Fractionation & Storage, LLC–Conway Underground East located at Section 28, Township 19S, Range 4, McPherson County, KS 67460. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Mid-Continent Fractionation & Storage, LLC–Conway Underground East ubicado en Section 28, Township 19S, Range 4, McPherson County, KS 67460. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek

Secretary

Department of Health and Environment

State of Kansas

Department of Health and Environment

Notice of 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. HME, Inc. 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.

HME, Inc., 2828 NW Button Rd., Topeka, KS 66618 owns and operates a fabricated structural metal working and manufacturing facility located at 2828 NW Button Rd., Topeka, Shawnee County, KS 66618.

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 Angela Bryson at the central office of KDHE at 785-296-3589, or Wendi Kessler at the Northeast District Office at 785-842-4600. 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 at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Angela Bryson, 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, May 5, 2025.

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 Angela Bryson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, May 5, 2025, in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency (USEPA) 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 USEPA 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 USEPA to review the permit. The 60-day public petition period will directly follow the USEPA 45-day review period.

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, USEPA, Region 7, Air Permitting and Standards Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219, phone 913-551-7960, to determine when the 45-day USEPA review period ends and the 60-day petition period commences.

The preceding notice refers to the air permit for HME, Inc. located at 2828 NW Button Rd., Topeka, Shawnee County, KS 66618. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para HME, Inc. ubicado en 2828 NW Button Rd., Topeka, Shawnee County, KS 66618. Si desea obtener más información en español o tiene otras preguntas, por favor,

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary
Department Health and Environment

Doc. No. 053024

State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Department of Health and Environment (KDHE), Division of Environment, Bureau of Air, will conduct a public information session and public hearing Tuesday, May 13, 2025, at the Wyandotte County Public Health Department, Auditorium Room 336, 619 Ann Ave., Kansas City, KS 66101, to consider the proposed Construction Permit and Class II Operating Permit for Harcos Chemicals Inc., 5200 Speaker Rd., Kansas City, KS 66106. The public information session will take place at 5:30 p.m. followed by the public hearing at 6:00 p.m.

All interested parties will be given a reasonable opportunity to present their views orally during the hearing. In order to give all parties an opportunity to speak, it may be necessary to limit any oral presentation to five minutes.

A copy of the proposed permits may be obtained by contacting Jennifer Stewart at 913-573-6705 or jstewart@wycokck.org. A copy may also be viewed online and at the following district office:

- <https://keims.kdhe.ks.gov/nsuite/ncore/external/publicnotice/search>
- Wyandotte County Division of Air Quality, 619 Ann Ave., Kansas City, KS 66101

Questions about this proposed hearing should be directed to Jennifer Stewart at 913-573-6705 or jstewart@wycokck.org. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed permit in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Jennifer Stewart at 913-573-6705 or jstewart@wycokck.org.

Janet Stanek
Secretary
Department of Health and Environment

Doc. No. 053038

State of Kansas

Department for Aging and Disability Services

Department of Health and Environment

Division of Health Care Finance

Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2026; Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan; Request for Written Comments; and Notice of Intent to Publish Final Rates

Under the Medicaid program, 42 U.S.C. 1396 et seq., the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging and Disability Services administers the nursing facility program, which includes hospital long-term care units, and the nursing facility for mental health program. The Secretary acts on behalf of the Kansas Department of Health and Environment Division of Health Care Finance (DHCF), the single state Medicaid agency.

As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department for Aging and Disability Services (KDADS) is publishing the proposed Medicaid per diem rates for Medicaid-certified nursing facilities for State Fiscal Year 2026, the methodology underlying the establishment of the nursing facility rates, and the justifications for those rates. KDADS and DHCF are also providing notice of the state's intent to submit amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2025.

I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities.

In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the rates listed in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations, or other authorities referenced in them:

A. The following portions of the Kansas Medicaid State Plan maintained by DHCF are being revised:

1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1, inclusive;

The text of the portions of the Medicaid State Plan identified above in section IA.1, but not the documents, authorities and the materials incorporated therein by reference, is reprinted in this notice. The Medicaid State Plan provisions set out in this notice appears in the version which the state currently intends to submit to CMS on or before September 30, 2025. The Medicaid State Plan amendment that the state ultimately submits to CMS may differ from the version contained in this notice.

Copies of the documents and authorities containing the state's rate-setting methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 et seq. The state may charge a fee for copies, in accordance with Executive Order 18-05. Written requests for copies should be sent to:

KDADS KORA Officer
New England Building, Second Floor
503 S Kansas Ave.
Topeka, KS 66603-3404

Fax: 785-296-0767

KDADSKORA@ks.gov

A.1 Attachment 4.19D, Part I, Subpart C, Exhibit C-1: Methods and Standards for Establishing Payment Rates for Nursing Facilities

Under the Medicaid program, the State of Kansas pays nursing facilities (NF), nursing facilities for mental health (NFMH), and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The narrative explanation of the nursing facility reimbursement formula is divided into 11 sections. The sections are: Cost Reports, Rate Determination, Quarterly Case Mix Index Calculation, Resident Days, Inflation Factors, Upper Payment Limits, Quarterly Case Mix Rate Adjustment, Real and Personal Property Fee, Incentive Factors, Rate Effective Date, and Retroactive Rate Adjustments.

1. Cost Reports

The Nursing Facility Financial and Statistical Report (MS2004) is the uniform cost report. It is included in Kansas Administrative Regulation (K.A.R.) 129-10-17. It organizes the commonly incurred business expenses of providers into three reimbursable cost centers (operating, indirect health care, and direct health care). Ownership costs (i.e., mortgage interest, depreciation, lease, and amortization of leasehold improvements) are reported but reimbursed through the real and personal property fee. There is a non-reimbursable/non-resident related cost center so that total operating expenses can be reconciled to the providers' accounting records.

All cost reports are desk reviewed by agency auditors. Adjustments are made, when necessary, to the reported costs in arriving at the allowable historic costs for the rate computations.

Calendar Year End Cost Reports

All providers that have operated a facility for 12 or more months on December 31 shall file a calendar year cost report. The requirements for filing the calendar year cost report are found in K.A.R. 129-10-17.

When a non-arms length or related party change of provider takes place or an owner of the real estate assumes the operations from a lessee, the facility will be treated as an ongoing operation. In this situation, the related provider or owner shall be required to file the calendar year end cost report. The new operator or owner is responsible for obtaining the cost report information from the prior operator for the months during the calendar year in which the new operator was not involved in running the facility. The cost report information from the old and new operators shall be combined to prepare a 12-month calendar year end cost report.

Projected Cost Reports

The filing of projected cost reports are limited to: 1) newly constructed facilities; 2) existing facilities new to the Medicaid program; or 3) a provider re-entering the Medicaid program that has not actively participated or billed services for 24 months or more. The requirements are found in K.A.R. 129-10-17.

2. Rate Determination

Rates for Existing Nursing Facilities

Medicaid rates for Kansas NFs are determined using a prospective, facility-specific rate-setting system. The rate is determined from the base cost data submitted by the provider. The current base cost data is the combined calendar year cost data from each available report submitted by the current provider during 2022, 2023, and 2024.

If the current provider has not submitted a calendar year report during the base cost data period, the cost data submitted by the previous provider for that same period will be used as the base cost data. Once the provider completes their first 24 months in the program, their first calendar year cost report will become the provider's base cost data.

The allowable expenses are divided into three cost centers. The cost centers are Operating, Indirect Health Care

and Direct Health Care. They are defined in K.A.R. 129-10-18.

The allowable historic per diem cost is determined by dividing the allowable resident related expenses in each cost center by resident days. Before determining the per diem cost, each year's cost data is adjusted from the midpoint of that year to December 31, 2025. The resident days and inflation factors used in the rate determination will be explained in greater detail in the following sections.

The inflated allowable historic per diem cost for each cost center is then compared to the cost center upper payment limit. The allowable per diem rate is the lesser of the inflated allowable historic per diem cost in each cost center or the cost center upper payment limit. Each cost center has a separate upper payment limit. If each cost center upper payment limit is exceeded, the allowable per diem rate is the sum of the three cost center upper payment limits. There is also a separate upper payment limit for owner, related party, administrator, and co-administrator compensation. The upper payment limits will be explained in more detail in a separate section.

The case mix of the residents adjusts the Direct Health Care cost center. The reasoning behind a case mix payment system is that the characteristics of the residents in a facility should be considered in determining the payment rate. The idea is that certain resident characteristics can be used to predict future costs to care for residents with those same characteristics. For these reasons, it is desirable to use the case mix classification for each facility in adjusting provider rates.

There are add-ons to the allowable per diem rate. The add-ons consist of the incentive factor, the real and personal property fee, and per diems to cover costs not included in the cost report data. The incentive factor and real and personal property fee are explained in separate sections of this exhibit. The rate components are explained in separate subparts of Attachment 4.19D of the State Plan. The add-ons plus the allowable per diem rate equal the total per diem rate.

Rates for New Construction and New Facilities (New Enrollment Status)

The per diem rate for newly constructed nursing facilities, or new facilities to the Kansas Medical Assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 129-10-17.

The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to December 31, 2025. This adjustment will be based on the S&P Global , National Skilled Nursing Facility Market Basket Without Capital Index (S&P Index). The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2025. The provider shall remain in new enrollment status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

Rates for Facilities Recognized as a Change of Provider (Change of Provider Status)

The payment rate for the first 24 months of operation shall be based on the base cost data of the previous owner or provider. This base cost data shall include data from each calendar year cost report that was filed by the previous provider from 2022-2024. If base cost data is not available, the most recent calendar year data for the previous provider shall be used. Beginning with the first day of the 25th month of operation the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider.

All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to December 31, 2025. This adjustment will be based on the S&P Index. The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2025. The provider shall remain in change-of-provider status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider.

Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change of provider status.

Rates for Facilities Re-entering the Program (Reenrollment Status)

The per diem rate for each provider reentering the Medicaid program shall be determined from a projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more. The per diem rate for all other providers reentering the program shall be determined from the base cost data filed with the agency or the most recent cost report filed preceding the base cost data period.

All cost data used to set rates for facilities reentering the program shall be adjusted to December 31, 2025. This adjustment will be based on the S&P Index. The S&P indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to December 31, 2025. The provider shall remain in reenrollment status until the base data period is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in reenrollment status.

3. Quarterly Case Mix Index Calculation

Providers are required to submit to the agency the uniform assessment instrument, which is the Minimum Data Set (MDS), for each resident in the facility. The MDS assessments are maintained in a computer database.

Effective July 1, 2024 the Patient Driven Payment Model (PDPM) Nursing component classification is used as the resident classification system to determine all case- mix indices, using data from the MDS submitted by each facility. The 25 PDPM case mix groups (CMG) and corresponding case mix indices (CMI) developed by the Centers for Medicare and Medicaid Services (CMS) and implemented as of October 1, 2019, shall be the basis for calculating facility average case mix indices to be used to adjust the Direct Health Care costs in the determination of upper payment limits and rate calculation. Resident assessments that cannot be classified will be assigned the lowest CMI for the State.

Each resident in the facility on the first day of each calendar quarter with a completed and submitted assessment shall be assigned a PDPM nursing CMG calculated on the resident's most current assessment available on the first day of each calendar quarter. This PDPM nursing CMG shall be translated to the corresponding CMI based on the PDPM weights effective October 1, 2019. From the individual resident case mix indices, average case mix indices for all residents and for each payment source type (Medicaid, Medicare and Other) are calculated for each Medicaid nursing facility four times per year based on the assessment information available on the first day of each calendar quarter.

The facility-wide average CMI is the simple average, carried to four decimal places, of all resident case mix indices. The Medicaid-average CMI is the simple average, carried to four decimal places, of all indices for residents, including those receiving hospice services, where Medicaid is known to be a per diem payer source on the first day of the calendar quarter or at any time during the preceding quarter. The private-pay/other average CMI is the simple average, carried to four decimal places, of all indices for residents where neither Medicaid nor Medicare were known to be the payer source on the first day of the calendar quarter or at any time during the preceding quarter. Case mix indices for ventilator-dependent residents for whom additional reimbursement has been determined shall be excluded from the average CMI calculations.

Rates will be adjusted for case mix twice annually using case mix data from the two quarters preceding the rate effective date. The case mix averages used for the rate adjustments will be the simple average of the case mix averages for each quarter. The resident listing cut-off for calculating the average CMIs for each quarter will be the first day of the quarter. The following are the dates for the resident listings and the rate periods in which the average Medicaid CMIs will be used in the semi-annual rate-setting process.

Rate Effective Date:

July 1
January 1

Cut-Off Dates for Quarterly CMI:

January 1 and April 1
July 1 and October 1

The resident listings will be distributed to providers prior to the dates the semi-annual case mix adjusted rates are determined. This will allow the providers time to review the resident listings and make corrections before they are notified of new rates. The cut off schedule may need to be modified in the event accurate resident listings and Medicaid CMI scores cannot be obtained from the MDS database.

4. Resident Days

Facilities with 60 beds or less

For facilities with 60 beds or less, the allowable historic per diem costs for all cost centers are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data.

Facilities with more than 60 beds

For facilities with more than 60 beds, the allowable historic per diem costs for the Direct Health Care cost center and for food and utilities in the Indirect Health Care cost center are determined by dividing the allowable resident related expenses by the actual resident days during the cost report period(s) used to establish the base cost data. The allowable historic per diem cost for the Operating and Indirect Health Care Cost Centers less food and utilities is subject to an 85% minimum occupancy rule. For these providers, the greater of the actual resident days for the cost report period(s) used to establish the base cost data or the 85% minimum occupancy based on the number of licensed bed days during the cost report period(s) used to establish the base cost data is used as the total resident days in the rate calculation for the Operating cost center and the Indirect Health Care cost center less food and utilities. All licensed beds are required to be certified to participate in the Medicaid program.

There are two exceptions to the 85% minimum occupancy rule for facilities with more than 60 beds. The first is that it does not apply to a provider who is allowed to file a projected cost report for an interim rate. Both the rates determined from the projected cost report and the historic cost report covering the projected cost report period are based on the actual resident days for the period.

The second exception is for the first cost report filed by a new provider who assumes the rate of the previous provider. If the 85% minimum occupancy rule was applied to the previous provider's rate, it is also applied when the rate is assigned to the new provider. However, when the new provider files a historic cost report for any part of the first 12 months of operation, the rate determined from the cost report will be based on actual days and not be subject to the 85% minimum occupancy rule for the months in the first year of operation. The 85% minimum occupancy rule is then reapplied to the rate when the new provider reports resident days and costs for the 13th month of operation and after.

5. Inflation Factors

Inflation will be applied to the allowable reported costs from the calendar year cost report(s) used to determine the base cost data from the midpoint of each cost report period to December 31, 2025. The inflation will be based on the S&P Global, CMS Nursing Home without Capital Market Basket index.

The S&P Global, CMS Nursing Home without Capital Market Basket Indices listed in the latest available quarterly publication will be used to determine the inflation tables for the payment schedules processed during the payment rate period. This may require the use of forecasted factors in the inflation table. The inflation tables will not be revised until the next payment rate period.

The inflation factor will not be applied to the following costs:

1. Owner/Related Party Compensation
2. Interest Expense
3. Real and Personal Property Taxes

6) Upper Payment Limits

There are three types of upper payment limits that will be described. One is the owner/related party/administrator/co-administrator limit. The second is the real and personal property fee limit. The last type of limit is an upper payment limit for each cost center. The upper payment limits are in effect during the payment rate period unless otherwise specified by a State Plan amendment.

Owner/Related Party/Administrator/Co-Administrator Limits

Since salaries and other compensation of owners are not subject to the usual market constraints, specific limits are placed on the amounts reported. First, amounts paid to non-working owners and directors are not an allowable cost. Second, owners and related parties who perform resident related services are limited to a salary chart based on the Kansas Civil Service classifications and wages for comparable positions. Owners and related parties who provide resident related services on less than a full time basis have their compensation limited by the percent of their total work time to a standard work week. A standard work week is defined as 40 hours. The owners and related parties must be professionally qualified to perform services which require licensure or certification.

The compensation paid to owners and related parties shall be allocated to the appropriate cost center for the type of service performed. Each cost center has an expense line for owner/related party compensation. There is also a cost report schedule titled, "Statement of Owners and Related Parties." This schedule requires information concerning the percent of ownership (if over five percent), the time spent in the function, the compensation, and a description of the work performed for each owner and/or related party. Any salaries reported in excess of the Kansas Civil Service based salary chart are transferred to the Operating cost center where the excess is subject to the Owner/Related Party/Administrator/Co-Administrator per diem compensation limit.

Schedule C is an array of non-owner administrator and co-administrator salaries. The schedule includes the calendar year 2024 historic cost reports in the database from all active nursing facility providers. The salary information in the array is not adjusted for inflation. The per diem data is calculated using an 85% minimum occupancy level for those providers in operation for more than 12 months with more than 60 beds. Schedule C for the owner/related party/administrator/co-administrator per diem compensation limit is the first schedule run during the rate setting.

Schedule C is used to set the per diem limitation for all non-owner administrator and co-administrator salaries and owner/related party compensation in excess of the civil service based salary limitation schedule. The per diem limit for a 50-bed or larger home is set at the 90th percentile on all salaries reported for non-owner administrators and co-administrators. A limitation table is then established for facilities with less than 50 beds. This table begins with a reasonable salary per diem for an administrator of a 15-bed or less facility. The per diem limit for a 15-bed or less facility is inflated based on the State of Kansas annual cost of living allowance for classified employees for the rate period. A linear relationship is then established between the compensation of the administrator of the 15-bed facility and the compensation of the administrator of a 50-bed facility. The linear relationship determines the per diem limit for the facilities between 15 and 50 beds.

The per diem limits apply to the non-owner administrators and co-administrators and the compensation paid to owners and related parties who perform an administrative function or consultant type of service. The per diem limit also applies to the salaries in excess of the civil service based salary chart in other cost centers that are transferred to the operating cost center.

Real and Personal Property Fee Limit

The property component of the reimbursement methodology consists of the real and personal property fee

that is explained in more detail in a later section. The upper payment limit is 105% of the median determined from a total resident day-weighted array of the property fees in effect April 1, 2025.

Cost Center Upper Payment Limits

Schedule B is an array of all per diem costs for each of the three cost centers-Operating, Indirect Health Care, and Direct Health Care. The schedule includes a per diem determined from the base cost data from all active nursing facility providers. Projected cost reports are excluded when calculating the limit.

The per diem expenses for the Operating cost center and the Indirect Health Care cost center less food and utilities are subject to the 85% minimum occupancy for facilities over 60 beds. All previous desk review and field audit adjustments are considered in the per diem expense calculations. The costs are adjusted by the owner/related party/administrator/co-administrator limit.

Prior to the Schedule B arrays, the cost data on certain expense lines is adjusted from the midpoint of the cost report period to December 31, 2025. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the S&P Global, CMS Nursing Home Without Capital Market Basket Index.

Certain costs are exempt from the inflation application when setting the upper payment limits. They include owner/related party compensation, interest expense, and real and personal property taxes.

The costs used for the Direct Health Care cost center will include expenditures made during the cost report period on behalf of the facility from the Long Term Care Rapid Response Staffing Support Center grant. These expenditures will be included in the adjusted Direct Health Care cost prior to applying inflation. See A.2 for more details.

Schedule B is the median compilations. These compilations are needed for setting the upper payment limit for each cost center. The median for each cost center is weighted based on total resident days. The upper payment limits will be set using the following:

Operating	110% of the median
Indirect Health Care	115% of the median
Direct Health Care	130% of the median

Direct Health Care Cost Center Limit

The Kansas reimbursement methodology has a component for a case mix payment adjustment. The Direct Health Care cost center rate component and upper payment limit are adjusted by the facility average CMI.

For the purpose of setting the upper payment limit in the Direct Health Care cost center, the facility cost report period CMI and the statewide average CMI will be calculated. The facility cost report period CMI is the resident day-weighted average of the quarterly facility-wide average case mix indices, carried to four decimal places. The quarters used in this average will be the quarters that most closely coincide with the financial and statistical reporting period. For example, a 01/01/20XX-12/31/20XX financial and statistical reporting period would use the facility-wide average case mix indices for quarters beginning 04/01/XX, 07/01/XX, 10/01/XX and 01/01/XY. The statewide average CMI is the resident day-weighted average, carried to four decimal places, of the facility cost report period case mix indices for all Medicaid facilities.

The statewide average CMI and facility cost report period CMI are used to set the upper payment limit for the Direct Health Care cost center. The limit is based on all facilities with a historic cost report in the database. There are three steps in establishing the base upper payment limit.

The first step is to normalize each facility's inflated Direct Health Care costs to the statewide average CMI. This is

done by dividing the statewide average CMI for the cost report year by the facility's cost report period CMI, then multiplying this answer by the facility's inflated costs. This step is repeated for each cost report year for which data is included in the base cost data.

The second step is to determine per diem costs and array them to determine the median. The per diem cost is determined by dividing the total of each provider's inflated case mix adjusted base direct health care costs by the total days provided during the base cost data period. The median is located using a day-weighted methodology. That is, the median cost is the per diem cost for the facility in the array at which point the cumulative total of all resident days first equals or exceeds half the number of the total resident days for all providers. The facility with the median resident day in the array sets the median inflated direct health care cost. For example, if there are eight million resident days, the facility in the array with the 4 millionth day would set the median.

The final step in calculating the base Direct Health Care upper payment limit is to apply the percentage factor to the median cost. For example, if the median cost is \$150 and the upper payment limit is based on 130% of the median, then the upper payment limit for the statewide average CMI would be \$195 ($D=130\% \times \150).

7. Quarterly Case Mix Rate Adjustment

The allowance for the Direct Health Care cost component will be based on the average Medicaid CMI in the facility. The first step in calculating the allowance is to determine the Allowable Direct Health Care Per Diem Cost. This is the lesser of the facility's per diem cost from the base cost data period or the Direct Health Care upper payment limit. Because the direct health care costs were previously adjusted for the statewide average CMI, the Allowable Direct Health Care Per Diem Cost corresponds to the statewide average CMI.

The next step is to determine the Medicaid acuity adjusted allowable Direct Health Care cost. The facility's Medicaid CMI is determined by averaging the facility average Medicaid CMI from the two quarters preceding the rate effective date. The facility's Medicaid CMI is then divided by the statewide average CMI for the cost data period. Finally, this result, is then multiplied by the Allowable Direct Health Care per diem cost. The result is referred to as the Medicaid Acuity Adjustment.

The Medicaid Acuity Adjustment is calculated semi-annually to account for changes in the Medicaid CMI. To illustrate this calculation, take the following situation: The facility's direct health care per diem cost is \$120.00, the Direct Health Care per diem limit is \$195.00, and these are both tied to a statewide average CMI of 1.000, and the facility's current Medicaid CMI is 0.9000. Since the per diem costs are less than the limit the Allowable Direct Health Care Cost is \$120.00, and this is matched with the statewide average CMI of 1.0000. To calculate the Medicaid Acuity Adjustment, first divide the Medicaid CMI by the statewide average CMI, then multiply the result by the Allowable Direct Health Care Cost. In this case that would result in \$108.00 ($0.9000/1.0000 \times \120.00). Because the facility's current Medicaid CMI is less than the statewide average CMI the Medicaid Acuity Adjustment moves the direct health care per diem down proportionally. In contrast, if the Medicaid CMI for the next semi-annual adjustment rose to 1.1000, the Medicaid Acuity Adjustment would be \$132.00 ($1.1000/1.0000 \times \120.00). Again the Medicaid Acuity Adjustment changes the Allowable Direct Health Care Per Diem Cost to match the current Medicaid CMI.

8. Real and Personal Property Fee

The property component of the reimbursement methodology consists of the real and personal property fee (property fee). The property fee is paid in lieu of an allowable cost of mortgage interest, depreciation, lease expense and/or amortization of leasehold improvements. The fee is facility specific and does not change as a result of a change of ownership, change in lease, or with re-enrollment in the Medicaid program. The original property fee was comprised of two components, a property allowance and a property value factor. The differentiation of the fee into these components was eliminated effective July 1, 2002. At that time each facility's fee was re-established based on the sum of the property allowance and value factor. The providers receive the lower of the inflated property fee or the upper payment limit.

For providers re-enrolling in the Kansas Medical Assistance program or providers enrolling for the first time but operating in a facility that was previously enrolled in the program, the property fee shall be the sum of the last effective property allowance and the last effective value factor for that facility. The property fee will be inflated to 12/31/08 and then compared to the upper payment limit. The property fee will be the lower of the facility-specific inflated property fee or the upper payment limit.

Providers entering the Kansas Medical Assistance program for the first time, who are operating in a building for which a fee has not previously been established, shall have a property fee calculated from the ownership costs reported on the cost report. This fee shall include appropriate components for rent or lease expense, interest expense on real estate mortgage, amortization of leasehold improvements, and depreciation on buildings and equipment. The process for calculating the property fee for providers entering the Kansas Medical Assistance program for the first time is explained in greater detail in K.A.R. 129-10-25.

There is a provision for changing the property fee. This is for a rebasing when capital expenditure thresholds are met (\$25,000 for homes under 51 beds and \$50,000 for homes over 50 beds). The original property fee remains constant but the additional factor for the rebasing is added. The property fee rebasing is explained in greater detail in K.A.R. 129-10-25. The rebased property fee is subject to the upper payment limit.

9. Incentive Factors

An incentive factor will be awarded to both NF and NF-MH providers that meet certain outcome measures criteria. The criteria for NF and NF-MH providers will be determined separately based on arrays of outcome measures for each provider group.

Nursing Facility Quality and Efficiency Incentive Factor

The Nursing Facility Incentive Factor is a per diem amount determined by four per diem add-ons providers can earn for various outcomes measures. Providers that maintain a case mix adjusted staffing ratio at or above the 75th percentile will earn a \$3.00 per diem add-on. Providers that fall below the 75th percentile staffing ratio but improve their staffing ratio by 10% or more will earn a \$0.50 per diem add-on. Providers that achieve a staff retention rate at or above the 75th percentile will earn a \$2.50 per diem add-on as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers that have a staff retention rate lower than the 75th percentile but that increase their staff retention rate by 10% or more will receive a per diem add-on of \$0.50 as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers that have a Medicaid occupancy percentage of 65% or more will receive a \$0.75 per diem add-on. Finally, providers that maintain quality measures at or above the 75th percentile will earn a \$1.25 per diem add-on. The total of all the per diem add-ons a provider qualifies for will be their incentive factor.

The table below summarizes the incentive factor outcomes and per diem add-ons:

Incentive Outcome	Incentive Add-Ons
CMI adjusted staffing ratio \geq 75th percentile (5.80), or CMI adjusted staffing < 75th percentile but improved \geq 10%	\$3.00 \$0.50
Staff retention rate \geq 75th percentile, 70% Contracted labor < 10% of total direct health care labor costs or Staff retention rate < 75th percentile but increased \geq 10%	\$2.50
Contracted labor < 10% of total direct health care labor costs	\$0.50
Medicaid occupancy \geq 65%	\$0.75
Quality Measures \geq 75th percentile (600)	\$1.25
Total Incentive Add-on Available	\$7.50

The Culture Change/Person-Centered Care Incentive Program

The Culture Change/Person-Centered Care Incentive Program (PEAK 2.0) includes nine different incentive levels to recognize homes that are either pursuing culture change, have made major achievements in the pursuit of culture change, have met minimum competencies in person-centered care, have sustained person-centered care, or are mentoring others in person-centered care.

Each incentive level has a specific pay-for-performance incentive per diem attached to it that homes can earn by meeting defined outcomes. The first six levels (Level 0 – Level 5) are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home.

Level 6 recognizes those homes that have attained a minimum level of core competency in person-centered care. Level 7 and Level 8 are reserved for those homes that have demonstrated sustained person-centered care for multiple years and have gone on to mentor other homes in their pursuit of person-centered care. The table below provides a brief overview of each of the levels.

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
LEVEL 0: The Foundation \$0.50 Per Medicaid Resident Per Day (PMRPD)	Home completes a self-evaluation tool according to the enrollment instructions. Home participates in all required activities noted in the Foundation timeline and Workbook. Homes that do not complete the requirements at this level must sit out for the remainder of the program year. At successful completion of the Foundation level, homes move to Level 1.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year, provided the home participates in program activities. Homes' incentive may be dropped mid-year for non-participation. Receipt of incentive also based on survey eligibility.
LEVEL 1: 0-2 Cores \$0.75 PMRPD	Home completes a self- evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 1 incentive by passing the Foundation level and/or sustaining practices in 1-2 cores. Level 1 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.	Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
<p>LEVEL 2: 3-4 Cores \$1.00 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 2 incentive by passing and/or sustaining 3-4 cores. Level 2 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>LEVEL 3: 5-6 Cores \$1.25 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 3 incentive by passing and/or sustaining 5-6 cores. Level 3 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>LEVEL 4: 7-8 Cores \$1.50 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 4 incentive by passing and/or sustaining 7-8 cores. Level 4 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
<p>LEVEL 5: 9-11 Cores \$1.75 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Home submits an action plan addressing at least 2 of the total 12 PEAK cores. A home can turn in additional action plans mid-year at their discretion. Homes are eligible for level 5 incentive by passing and/or sustaining 9-11 cores. Level 5 homes undergo an in-person or Zoom evaluation with the PEAK team. 20-25 homes are selected for a random site visit. Homes must participate in the random site visit, if selected, to continue incentive payment. Action planned cores are evaluated within the same fiscal year. Previously passed cores will be re-evaluated every 2 years for sustainability. Level is adjusted based on the evaluation results and KDADS' guidance.</p>	<p>Available beginning July 1 of the enrollment year. Incentive granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>LEVEL 6: 12 Cores Person-Centered Care Home \$2.00 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Homes are eligible for level 6 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices). The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 6.</p>	<p>Available beginning July 1 following confirmed minimum competency of person-centered practice. Incentive is granted for one full fiscal year. Receipt of incentive also based on survey eligibility.</p>
<p>LEVEL 7: 12 Cores Sustained Person-Centered Care Home \$2.50 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Homes are eligible for level 7 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices. KDADS will make final determination of movement to level 7.</p>	<p>Available beginning July 1 following confirmation of the upkeep of minimum person-centered care competencies in all 12 PEAK cores for the second consecutive year. Incentive is granted for two fiscal years. Renewable biannually. Receipt of incentive also based on survey eligibility.</p>
<p>LEVEL 8: 12 Cores Mentor Home \$3.00 PMRPD</p>	<p>Home completes a self- evaluation tool (annually). Homes are eligible for level 8 by demonstrating minimum competency as a person-centered care home (passes all 12 core areas or 90% of the PEAK practices) two consecutive years and meeting the minimum mentoring activities, as directed in the mentoring log. The home does this by passing a full on-site visit to evaluate all 12 PEAK core areas. KDADS and KSU will facilitate a full on-site visit to evaluate PEAK practices bi-annually and turning in a mentor log. KDADS will make final determination of movement to level 8.</p>	<p>Available beginning July 1 following confirmation of mentor home standards (upkeep of minimum person-centered care competencies in all 12 PEAK cores and mentoring points). Incentive is granted for two fiscal years. Renewable bi-annually. Receipt of incentive also based on survey eligibility.</p>

Nursing Facility for Mental Health Quality and Efficiency Incentive Factor

The Quality and Efficiency Incentive plan for Nursing Facilities for Mental Health (NFMH) will be established separately from nursing facilities. Nursing Facilities for Mental Health serve people who often do not need the NF level of care on a long-term basis. There is a desire to provide incentive for NFMHs to work cooperatively and in coordination with Community Mental Health Centers to facilitate the return of persons to the community.

The Quality and Efficiency Incentive Factor is a per diem add-on ranging from zero to seven dollars and fifty cents. It is designed to encourage quality care, efficiency and cooperation with discharge planning. The incentive factor is determined by five outcome measures: case-mix adjusted nurse staffing ratio; operating expense; staff turnover rate; staff retention rate; and occupancy rate. Each provider is awarded points based on their outcomes measures and the total points for each provider determine the per diem incentive factor included in the provider's rate calculation.

Providers may earn up to two incentive points for their case mix adjusted nurse staffing ratio. They will receive two points if their case-mix adjusted staffing ratio equals or exceeds 3.50, which is 120% of the statewide NFMH median of 2.92. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.21, which is 110% of the statewide NFMH median. Providers with staffing ratios below 110% of the NFMH median will receive no points for this incentive measure.

NFMH providers may earn one point for low occupancy outcomes measures. If they have total occupancy less than 90% they will earn a point.

NFMH providers may earn one point for low operating expense outcomes measures. The provider will earn one point if the per diem operating expenses are below \$33.71, or 90% of the statewide median of \$37.45.

NFMH providers may earn up to two points for the turnover rate outcomes measure. Providers with direct health care staff turnover equal to or below 52%, the 75th percentile statewide, will earn two points as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs. Providers with direct health care staff turnover greater than 52% but equal to or below 75%, the 50th percentile statewide, will earn one point as long as contracted labor costs do not exceed 10% of the provider's total direct health care labor costs.

Finally, NFMH providers may earn up to two points for the retention rate outcomes measure. Providers with staff retention rates at or above 76%, the 75th percentile statewide will earn two points. Providers with staff retention rates below 76% but at or above 67%, the 50th percentile statewide, will earn one point.

The table below summarizes the incentive factor outcomes and points:

Quality/Efficiency Outcome	Incentive Points
CMI adjusted staffing ratio \geq 120% (3.50) of NF-MH median (2.92), or CMI adjusted staffing ratio between 110% (3.21) and 120%	2, or 1
Total occupancy \leq 90%	1
Operating expenses $<$ \$33.71, 90% of NF-MH median, \$37.45	1
Staff turnover rate \leq 75th percentile, 52% Staff turnover rate \leq 50th percentile, 75% Contracted labor $<$ 10% of total direct health care labor costs	2, or 1
Staff retention \geq 75th percentile, 76% Staff retention \geq 50th percentile, 67%	2, or 1
Total Incentive Points Available	8

Schedule E is an array containing the incentive points awarded to each NFMH provider for each quality and efficiency incentive outcome. The total of these points will be used to determine each provider's incentive factor based on the following table.

<u>Total Incentive Points:</u>	<u>Incentive Factor Per Diem:</u>
Tier 1: 6-8 points	\$7.50
Tier 2: 5 points	\$5.00
Tier 3: 4 points	\$2.50
Tier 4: 0-3 points	\$0.00

The survey and certification performance of each NF and NFMH provider will be reviewed quarterly to determine each provider's eligibility for incentive factor payments. In order to qualify for an incentive, factor a home must not have received any health care survey deficiency of scope and severity level "H" or higher during the survey review period. Homes that receive "G" level deficiencies, but no "H" level or higher deficiencies, and that correct the "G" level deficiencies within 30 days of the survey, will be eligible to receive 50% of the calculated incentive factor. Homes that receive no deficiencies higher than scope and severity level "F" will be eligible to receive 100% of the calculated incentive factor. The survey and certification review period will be the 12-month period ending one quarter prior to the incentive eligibility review date. The following table lists the incentive eligibility review dates and corresponding review period end dates.

<u>Incentive Eligibility Effective Date:</u>	<u>Review Period End Date:</u>
July 1	March 31st
October 1	June 30th
January 1	September 30th
April 1	December 31st

10. Rate Effective Date

Rate effective dates are determined in accordance with K.A.R. 129-10-19. The rate may be revised for an add-on reimbursement factor (i.e., rebased property fee), desk review adjustment or field audit adjustment.

11. Retroactive Rate Adjustments

Retroactive adjustments, as in a retrospective system, are made for the following three conditions:

A retroactive rate adjustment and direct cash settlement is made if the agency determines that the base year cost report data used to determine the prospective payment rate was in error. The prospective payment rate period is adjusted for the corrections.

If a projected cost report is approved to determine an interim rate, a settlement is also made after a historic cost report is filed for the same period.

All settlements are subject to upper payment limits. A provider is considered to be in projection status if they are operating on a projected rate and they are subject to the retroactive rate adjustment.

A.2 Medicaid Add-On

To compensate and incentivize providers with high Medicaid participation, the Kansas Legislature appropriated funding for State Fiscal Year 2025 with a Medicaid Add-On. This per diem add-on was implemented effective July 1, 2024 in the amount of \$15.18 per member. The Medicaid Add-On will expire on June 30, 2025. Rates effective July 1, 2025 do not include a Medicaid Add-On.

A.3 Rapid Response Staffing Grant Adjustment

The Kansas Department of Health and Environment began partnering with KFMC Health Improvement Partners (KFMC) in 2022 to assist long-term care facilities impacted by COVID-19 with emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program. This program provides qualifying nursing facilities with short-term (up to two weeks) emergency staffing services. The costs of the emergency staffing services provided to each facility are covered entirely by the program with no expenditures from the facility. Therefore this additional staffing and the costs related to it are not reflected in the Medicaid cost reports. To account for grant program expenditures made on behalf of each Medicaid nursing facility, a Rapid Response Staffing Grant Adjustment will be added to each participating facility's total reported Direct Health Care Costs for each applicable year in the base cost data period. The Rapid Response Staffing Grant Adjustment will reflect the amount of grant funds expended in a given cost report year to provide emergency staffing services to the facility. This amount will be combined with the total reported costs and cost report adjustments to determine the total adjusted costs for Direct Health Care for each cost report year included in the base data period. The grant expenditures will be subject to inflation and case mix adjustments applied to the Direct Health Care costs for each year. The grant expenditures will then flow through the rate calculation as part of the Direct Health Care costs subject to the cost center limitation and Medicaid acuity adjustment to determine the Direct Health Care per diem rate component.

1. **Qualifying Providers**

All providers identified by KFMC as receiving emergency temporary staffing services through the Rapid Response Staffing Support Center Grant program.

2. **Rapid Response Staffing Grant Adjustment:**

The annual grant expenditure amount made on behalf of each facility will be added to the Direct Health Care costs prior to adjusting for inflation and case mix.

II. Medicaid Per Diem Rates for Kansas Nursing Facilities

A. Cost Center Limitations

The state establishes the following cost center limitations which are used in setting rates effective July 1, 2025.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$60.14
Indirect Health Care	115% of the Median Cost	\$73.49
Direct Health Care	130% of the Median Cost	\$200.40
Real and Personal Property Fee	105% of the Median Fee	\$10.65

These amounts were determined according to the "Reimbursement Limitations" section. The Direct Healthcare Limit is calculated based on a CMI of 1.2928, which is the statewide average.

B. Case Mix Index

These proposed rates are based upon each nursing facility's Medicaid CMI calculated as the average of the quarterly Medicaid CMI averages with a cutoff dates of January 1, 2025 and April 1, 2025. The CMI calculations use the PDPM Nursing component CMI values implemented by CMS effective October 1, 2019. In Section II.C below, each nursing facility's Medicaid average CMI is listed beside its per diem rate.

C. Rates

The following list includes the calculated Medicaid rate for each nursing facility provider currently enrolled in the Medicaid program and the Medicaid case mix index used to determine each rate.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Village Manor	Abilene	313.54	1.0964
Life Care Center of Andover	Andover	226.42	1.4207
Anthony Community Care Center	Anthony	261.65	1.2114
Medicalodges Health Care Ctr Arkans	Arkansas City	248.06	1.2122
Arkansas City Presbyterian Manor	Arkansas City	281.02	1.1641
Arma Operator, LLC	Arma	280.42	1.7680
Medicalodges Atchison	Atchison	288.14	1.3312
Atchison Senior Village Rehab & NC	Atchison	366.25	1.5866
Dooley Center	Atchison	307.70	0.9673
Attica Long Term Care	Attica	330.90	1.1657
Good Samaritan Society-Atwood	Atwood	320.98	1.2850
Lake Point Nursing Center	Augusta	237.78	1.2560
Baldwin Healthcare & Rehab Center	Baldwin City	289.58	1.4844
Quaker Hill Manor	Baxter Springs	242.78	1.0860
Catholic Care Center Inc.	Bel Aire	326.42	1.2736
Belleville Healthcare and Rehab Ctr	Belleville	300.16	1.6418
Mitchell County Hospital LTCU	Beloit	329.37	1.1917
Hilltop Lodge Health and Rehab	Beloit	321.48	1.9582
Advena Living of Bonner Springs	Bonner Springs	290.38	1.3179
Hill Top House	Bucklin	309.03	1.2555
Buhler Sunshine Home, Inc.	Buhler	301.33	1.1564
Life Care Center of Burlington	Burlington	267.23	1.2682
Eastridge Nursing Home	Centralia	370.57	1.4200
Heritage Health Care Center	Chanute	228.51	1.2499
Diversicare of Chanute	Chanute	254.75	1.3027
Chapman Valley Manor	Chapman	269.38	1.1915
Cheney Golden Age Home Inc.	Cheney	285.21	1.1819
Advena Living of Cherryvale	Cherryvale	228.37	1.1615
The Shepherd's Center	Cimarron	278.61	1.0769
Advena Living of Clay Center	Clay Center	248.69	1.0553
Clay Center Presbyterian Manor	Clay Center	291.85	1.0988
Advena Living of Clearwater	Clearwater	263.22	1.1617
Park Villa Nursing Home	Clyde	240.03	1.0485
Medicalodges Coffeyville on Midland	Coffeyville	284.19	1.2647
Medicalodges Iola	Coffeyville	291.85	1.1385

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Colby Health and Rehab	Colby	388.12	1.9160
Prairie Senior Living Complex	Colby	327.44	1.2621
Pioneer Lodge	Coldwater	272.18	1.1683
Medicalodges Columbus	Columbus	292.70	1.2949
Sunset Home, Inc.	Concordia	276.71	1.2956
Spring View Manor Healthcare & Rehab	Conway Springs	266.36	1.4565
Chase County Care and Rehab	Cottonwood Falls	361.96	1.7512
Diversicare of Council Grove	Council Grove	243.76	1.3093
Hilltop Manor Nursing Center	Cunningham	285.36	1.6328
Westview of Derby Rehab & Health	Derby	235.71	1.2693
Derby Health and Rehabilitation	Derby	328.90	1.4604
Hillside Village of DeSoto	DeSoto	263.93	1.4390
Trinity Manor	Dodge City	275.26	1.3192
Sunporch of Dodge City	Dodge City	299.18	1.1078
Manor of the Plains	Dodge City	331.21	1.3010
Downs Care and Rehab	Downs	314.65	1.6221
Anew Healthcare Easton	Easton	262.41	1.3460
Parkway Care and Rehab	Edwardsville	268.30	1.5197
Kaw River Care and Rehab	Edwardsville	301.56	1.5935
Edwardsville Care and Rehab	Edwardsville	185.98	1.0683
Lakepoint Nursing Center-El Dorado	El Dorado	246.09	1.1648
El Dorado Care and Rehab	El Dorado	319.67	1.5321
Good Samaritan Society-Ellis	Ellis	266.91	1.2518
Good Sam Society-Ellsworth Village	Ellsworth	308.32	1.3798
Emporia Presbyterian Manor	Emporia	303.83	1.2850
Flint Hills Care and Rehab Center	Emporia	241.21	1.4406
Enterprise Estates Nursing Center, I	Enterprise	277.44	1.2972
Eskridge Care and Rehab	Eskridge	237.22	1.1411
Medicalodges Eudora	Eudora	280.65	1.2503
Eureka Nursing Center	Eureka	224.79	1.2113
Kansas Soldiers' Home	Fort Dodge	343.59	1.3545
Medicalodges Fort Scott	Fort Scott	241.07	1.1387
Fowler Residential Care	Fowler	295.79	1.0047
Frankfort Community Care Home, Inc.	Frankfort	292.22	1.0450
Medicalodges Frontenac	Frontenac	248.13	1.2820

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Galena Nursing Home	Galena	228.12	1.1260
Garden Valley Retirement Village	Garden City	224.10	1.3094
Recover Care Meadowbrook Rehab,LLC	Gardner	404.81	1.6676
Anderson County Hospital	Garnett	311.32	1.0594
Parkview Heights Nursing and Rehab	Garnett	282.82	1.3895
The Nicol Home, Inc.	Glasco	243.64	1.1277
Medicalodges Goddard	Goddard	273.00	1.2193
Bethesda Home	Goessel	348.71	1.3187
Topside Manor, Inc	Goodland	285.42	1.1064
Medicalodges Great Bend	Great Bend	314.08	1.1930
Azria Health Great Bend	Great Bend	285.38	1.7351
Haviland Operator, LLC	Haviland	177.39	0.9629
Good Samaritan Society-Hays	Hays	286.86	1.4533
Ascension Living Via Christi Village	Hays	315.50	1.1640
Diversicare of Haysville	Haysville	219.35	1.4286
Legacy at Herington	Herington	293.46	1.3691
Schowalter Villa	Hesston	315.69	1.0908
Maple Heights Nursing & Rehabilitative Center	Hiawatha	227.30	1.1715
Dawson Place, Inc.	Hill City	265.37	1.2565
Salem Home	Hillsboro	272.65	1.2646
Parkside Homes, Inc.	Hillsboro	279.82	1.2106
Anew Healthcare Holton	Holton	316.58	1.1820
Sheridan County Hospital	Hoxie	337.88	1.2657
Pioneer Manor	Hugoton	317.46	1.1478
Diversicare of Hutchinson	Hutchinson	282.22	1.2931
Good Sam Society-Hutchinson Village	Hutchinson	285.77	1.1616
Hutchinson Operator, LLC	Hutchinson	298.78	1.4680
Wesley Towers	Hutchinson	267.99	1.0271
Medicalodges Independence	Independence	238.62	1.1756
Montgomery Place Nursing Center,LLC	Independence	229.58	1.2133
Pleasant View Home	Inman	308.90	1.2239
Stanton County Hospital- LTCU	Johnson	334.83	1.2377
Valley View Senior Life	Junction City	260.63	1.2475
Medicalodges Post Acute Care Center	Kansas City	285.69	1.1358
Riverbend Post Acute Rehabilitation	Kansas City	297.15	1.4368

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Lifecare Center of Kansas City	Kansas City	254.96	1.1915
Providence Place LTCU	Kansas City	353.81	1.4585
Ignite Med Resort Rainbow Blvd, LLC	Kansas City	306.16	1.5248
The Healthcare Resort of Kansas City	Kansas City	315.72	1.2644
The Wheatlands	Kingman	269.54	1.4890
Medicalodges Kinsley	Kinsley	299.43	1.1972
Kiowa District Manor	Kiowa	302.19	1.0857
Locust Grove Village	Lacrosse	248.00	1.0498
High Plains Retirement Village	Lakin	332.88	1.3441
Lansing Care and Rehab	Lansing	288.96	1.3875
Diversicare of Larned	Larned	229.84	1.1566
Lawrence Presbyterian Manor	Lawrence	332.36	1.1781
Medicalodges Leavenworth	Leavenworth	332.53	1.4870
The Healthcare Resort of Leawood	Leawood	340.48	1.4811
Delmar Gardens of Lenexa	Lenexa	241.68	1.2457
Lakeview Village	Lenexa	325.29	1.1162
Westchester Village of Lenexa	Lenexa	400.41	1.7209
Leonardville Nursing Home	Leonardville	306.68	1.1606
Wichita County Health Center	Leoti	252.24	0.7013
Good Samaritan Society-Liberal	Liberal	283.96	1.2398
Wheatridge Park Care Center	Liberal	271.35	1.2631
Lincoln Park Manor, Inc.	Lincoln	277.13	1.2162
Bethany Home Association	Lindsborg	309.96	1.0484
Linn Community Nursing Home	Linn	260.70	1.4059
Sandstone Heights Nursing Home	Little River	310.79	1.1715
Logan Manor Community Health Service	Logan	279.97	1.2603
Louisburg Healthcare and Rehab Cente	Louisburg	318.00	1.6727
Meadowlark Hills Retirement Communit	Manhattan	339.62	1.2834
Ascension Living Via Christi Village	Manhattan	301.79	1.1804
St. Luke Living Center	Marion	286.57	1.2373
Riverview Estates, Inc.	Marquette	312.25	1.3575
Cambridge Place	Marysville	257.26	1.4582
McPherson Operator, LLC	McPherson	320.64	2.0034
The Cedars, Inc.	McPherson	326.15	1.1455
Lone Tree Retirement Community LLC	Meade	313.93	1.0724

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Merriam Gardens Healthcare & Rehab	Merriam	268.04	1.4140
Minneapolis Healthcare and Rehab	Minneapolis	279.52	1.6017
Minneola District Hospital-LTCU	Minneola	332.06	1.2217
Bethel Home, Inc.	Montezuma	283.04	1.1189
Moran Manor	Moran	226.62	1.1872
Pine Village	Moundridge	297.77	1.2920
Moundridge Manor, Inc.	Moundridge	303.39	1.1324
Villa Maria, Inc.	Mulvane	289.51	1.2135
Neodesha Care and Rehab	Neodesha	279.33	1.5856
Ness County Hospital Dist.#2	Ness City	314.15	1.0524
Paramount Community Living and Rehab	Newton	303.70	1.3210
Kansas Christian Home	Newton	292.82	1.2646
Newton Presbyterian Manor	Newton	310.39	1.1144
Bethel Care Center	North Newton	348.93	1.3502
Andbe Home, Inc.	Norton	234.30	1.0738
Anew Healthcare	Nortonville	238.61	1.2643
Logan County Senior Living	Oakley	333.37	1.2451
Good Samaritan Society-Decatur Co.	Oberlin	309.57	1.1194
Villa St. Francis Catholic Care Ctr.	Olathe	344.23	1.4582
Azria Health at Olathe	Olathe	311.90	1.4174
Good Samaritan Society-Olathe	Olathe	340.95	1.2821
Evergreen Community of Johnson Count	Olathe	345.50	1.3016
Aberdeen Village, Inc.	Olathe	356.40	1.3618
Nottingham Health & Rehab	Olathe	331.85	1.1699
The Healthcare Resort of Olathe	Olathe	355.12	1.7664
Onaga Operator, LLC	Onaga	289.88	1.5091
Osage Nursing & Rehab Center	Osage City	247.48	1.1586
Parkview Health and Rehab LLC	Osborne	239.57	1.4951
Heritage Gardens Health and Rehab	Oskaloosa	334.23	1.5853
Oswego Operator, LLC	Oswego	274.38	1.6016
Rock Creek of Ottawa	Ottawa	296.89	1.7169
Brookside Manor	Overbrook	268.72	1.3261
Brookdale Overland Park	Overland Park	364.33	1.3478
Garden Terrace at Overland Park	Overland Park	279.27	1.2253
KPC Promise Hospital of Overland Par	Overland Park	453.30	3.2599

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Excel Healthcare and Rehab OP	Overland Park	316.61	1.2163
Ignite Medical Resort Overland Park	Overland Park	367.93	1.4181
Delmar Gardens of Overland Park	Overland Park	312.71	1.2890
Aspen Health and Wellness	Overland Park	316.71	1.4821
Village Shalom, Inc.	Overland Park	334.01	1.1843
Tallgrass Creek, Inc.	Overland Park	388.84	1.5459
Shawnee Post Acute Rehab Center	Overland Park	335.42	1.5130
Stratford Commons Rehab & HCC	Overland Park	330.90	1.4712
Colonial Village	Overland Park	341.35	1.3150
Medicalodges Paola	Paola	161.54	0.9052
North Point Skilled Nursing Center	Paola	240.51	1.2397
Elmhaven East	Parsons	228.40	1.1574
Parsons Presbyterian Manor	Parsons	306.01	1.1045
Good Samaritan Society-Parsons	Parsons	278.98	1.1519
Peabody Operator, LLC	Peabody	223.12	1.1038
Access Mental Health	Peabody	170.43	0.9262
Phillips County Retirement Center	Phillipsburg	253.81	1.1493
Medicalodges Pittsburg South	Pittsburg	291.17	1.2079
Pittsburg Care and Rehab	Pittsburg	254.81	1.5079
Ascension Living Via Christi Village	Pittsburg	300.56	1.2833
Rooks County Senior Services, Inc.	Plainville	304.97	1.2597
The Village at Mission	Prairie Village	366.01	1.4101
Grand Plains-Skilled Nursing	Pratt	244.82	1.2928
Pratt Operator, LLC	Pratt	275.28	1.7636
Prairie Sunset Manor	Pretty Prairie	306.96	1.5646
Protection Valley Manor	Protection	233.70	1.0285
Richmond Healthcare and Rehab Center	Richmond	281.27	1.5572
Advena Living at Fountainview	Rose Hill	242.01	1.0493
Rossville Healthcare and Rehab Cente	Rossville	298.64	1.5743
Wheatland Nursing & Rehab Center	Russell	221.39	1.1950
Russell Regional Hospital	Russell	331.13	1.1688
Sabetha Nursing Center	Sabetha	229.45	1.0607
Apostolic Christian Home	Sabetha	293.11	1.1932
Smoky Hill Rehabilitation Center	Salina	241.86	1.5199
Kenwood View Health and Rehab Center	Salina	268.01	1.6532

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Salina Windsor SNF OPCO, LLC	Salina	238.87	1.1723
Pinnacle Park Nursing and Rehabilita	Salina	283.67	1.5884
Salina Presbyterian Manor	Salina	312.99	1.1972
Park Lane Nursing Home	Scott City	322.75	1.3267
Pleasant Valley Manor	Sedan	213.63	1.1467
Diversicare of Sedgwick	Sedgwick	302.39	1.3199
Crestview Nursing & Residential Livi	Seneca	240.68	1.1435
Life Care Center of Seneca	Seneca	254.54	1.2840
Shawnee Gardens Healthcare and Rehab	Shawnee	299.41	1.5044
Sharon Lane Health and Rehabilitatio	Shawnee	252.11	1.1410
Brookdale Rosehill	Shawnee	355.65	1.3601
Smith Center Operator, LLC	Smith Center	263.89	1.7454
Sunporch of Smith County	Smith Center	310.95	1.2187
Mennonite Friendship Manor, Inc.	South Hutchinson	339.06	1.4020
Southwinds at Spearville	Spearville	300.03	1.2475
Spring Hill Care and Rehab	Spring Hill	293.50	1.5957
Cheyenne County Village,Inc.	St. Francis	346.92	1.3957
Community Hospital of Onaga, LTCU	St. Mary's	359.26	1.3301
Prairie Mission Retirement Village	St. Paul	239.66	1.1321
Leisure Homestead at Stafford	Stafford	244.49	1.1927
Sterling Village	Sterling	350.31	1.3372
Solomon Valley Manor	Stockton	266.43	1.1824
Tonganoxie Opco LLC	Tonganoxie	291.08	1.3190
Brewster Health Center	Topeka	334.83	1.2214
Topeka Presbyterian Manor Inc.	Topeka	356.00	1.3422
Advena Living on Tenth	Topeka	240.39	1.1090
Halstead Health and Rehab Center	Topeka	238.29	1.2440
McCrite Plaza Health Center	Topeka	316.66	1.5339
Rolling Hills Health Center	Topeka	223.88	1.2268
Excel Healthcare and Rehab Topeka	Topeka	258.17	1.1787
Stoneybrook Retirement Community	Topeka	262.58	1.3673
Valley Health Care Center	Topeka	203.34	0.9555
Tanglewood Nursing and Rehabilitatio	Topeka	235.04	1.3739
Brighton Place West Health Center	Topeka	226.94	1.3783
Countryside Health Center	Topeka	128.23	1.0069

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Providence OpCo LLC	Topeka	200.32	1.0835
Brighton Place North	Topeka	120.46	0.9925
The Gardens at Aldersgate	Topeka	320.10	1.6729
Recover-Care Plaza West Care Center	Topeka	273.78	1.6619
Holiday Resort of Salina	Topeka	275.99	1.3399
Lexington Park Nursing and Post Acut	Topeka	309.20	1.4997
Pioneer Ridge Retirement Community	Topeka	231.31	1.2490
Western Prairie Senior Living	Topeka	270.55	1.2536
Twin Oaks Health & Rehab	Topeka	270.02	1.2642
The Healthcare Resort of Topeka	Topeka	330.74	2.0702
Ranch House Senior Living	Topeka	271.03	1.4062
Greeley County Hospital, LTCU	Tribune	311.39	1.2157
Trego Co. Lemke Memorial LTCU	Wakeeney	299.64	1.0384
Wakefield Care and Rehab	Wakefield	309.40	1.5888
Good Samaritan Society-Valley Vista	Wamego	273.80	1.1591
Wathena Healthcare and Rehab Center	Wathena	302.19	1.7260
Botkin Care and Rehab	Wellington	233.03	1.2632
Sumner Operator, LLC	Wellington	243.99	1.2643
Wellsville Manor	Wellsville	254.86	1.3489
Westy Community Care Home	Westmoreland	254.06	1.1124
Wheat State Manor	Whitewater	292.71	1.2250
Medicalodges Wichita	Wichita	294.95	1.1825
Meridian Rehab and Health Care Cente	Wichita	226.36	1.2210
Homestead Health Center, Inc.	Wichita	349.90	1.5470
Advena Living on Woodlawn	Wichita	215.40	0.9799
Wichita Presbyterian Manor	Wichita	312.36	0.0000
Sandpiper Healthcare and Rehab Cente	Wichita	248.13	1.5928
Lakepoint Wichita LLC	Wichita	284.36	1.3162
Excel Healthcare and Rehab Wichita	Wichita	287.19	1.2523
Legacy at College Hill	Wichita	261.41	1.3642
Seville Operator, LLC	Wichita	307.92	1.6968
Lincoln Care and Rehab	Wichita	272.40	1.3599
The Health Care Center at Larksfeld Place	Wichita	359.80	1.5705
Life Care Center of Wichita	Wichita	286.64	1.3323
Family Health & Rehabilitation Cente	Wichita	329.92	1.3139

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Facility Name	City	Daily Rate	Medicaid CMI
Caritas Center	Wichita	291.48	0.9191
Regent Park Rehab and Healthcare	Wichita	313.72	1.2348
Avita Health & Rehab of Reeds Cove	Wichita	294.68	1.2818
Ascension Living Via Christi Village	Wichita	321.83	1.2990
Ascension Living Via Christi Village	Wichita	326.45	1.4199
Mount St Mary	Wichita	330.75	1.2043
Azria Health Wichita	Wichita	327.36	1.4336
Wilson Care and Rehab	Wilson	301.05	1.4678
F W Huston Medical Center	Winchester	204.54	1.1710
Winfield Senior Living Community	Winfield	296.21	2.2286
Cumbernauld Village, Inc.	Winfield	325.90	1.3669
Winfield Rest Haven II LLC	Winfield	307.18	1.2227
Kansas Veterans' Home	Winfield	350.46	1.3760
Yates Operator, LLC	Yates Center	239.78	1.3279

III. Justifications for the Rates

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The proposed rates are calculated according to a methodology which satisfies the requirements of K.S.A. 39-708c(x) and the DHCF regulations in K.A.R. Article 129-10 implementing that statute and applicable federal law.
3. The State's analyses project that the rates:
 - a. Would result in payment, in the aggregate of 97.29% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - b. Would result in a maximum allowable rate of \$344.68 (for a CMI of 1.2928); with the total average allowable rate being \$281.41.
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will decrease approximately \$15.5 million.*
5. The state estimates that the rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
 - a. Service providers operating a total of 294 nursing facilities and hospital-based long-term care units (representing 96.08% of all the licensed nursing facilities and long-term care units in Kansas) participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in 95 of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 81.58%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 60.85%; and
 - e. The rates would cover 103.07%** of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the methodology will result in compliance with the federal regulation.

* The Medicaid Add-On was removed from estimated aggregate expenditures for SFY 2026 and is scheduled to sunset June 30, 2025.

**Includes Long Term Care Rapid Response Staffing Support Center grant.

IV. Request for Comments; Request for Copies

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed rates, the methodology used to calculate the proposed rates, the justifications for the proposed rates, and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver, or email their signed, written comments before the close of business on May 12, 2025 to:

Sheri Jurad
Director of NF/ACH Programs
Kansas Department for Aging and Disability Services
New England Building
503 S. Kansas Ave.
Topeka, KS 66603-3404
Sheri.Jurad@ks.gov

Subject Line: Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2026

V. Notice of Intent to Amend the Medicaid State Plan

The state intends to submit Medicaid State Plan amendments to CMS on or before September 30, 2025.

Laura Howard
Secretary
Department for Aging and Disability Services

Christine Osterlund
Deputy Secretary of Agency Integration
State Medicaid Director
Division of Health Care Finance
Department of Health and Environment

Doc. No 053021

(Published in the Kansas Register April 10, 2025.)

Kansas City Kansas Community College

Request for Proposals

Kansas City Kansas Community College (KCKCC) is requesting bids from qualified vendors with necessary resources and experience to submit bids for Roof Replacement of our Athletic field house (Bid 25-005) as outlined in this Request for Proposals.

All questions regarding this Request for Proposals and the program it represents must be submitted in writing via email to the following contact person:

Linda Burgess, Purchasing Specialist
Kansas City Kansas Community College
lburgess@kckcc.edu

Please visit our website for bid details at <https://kckcc.edu/about/organization/financial-services/doing-business/index.html>.

Linda Burgess
Purchasing Specialist
Kansas City Kansas Community College

Doc. No. 053037

(Published in the Kansas Register April 10, 2025.)

Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of work for the Kansas & Oklahoma Railroad (KORR).

Scope of Work

Complete the removal and replacement of all nine (9) timber structures with corrugated metal pipes on the Scott City Subdivision located between Albert, Kansas and Dighton, Kansas. Provide all necessary labor, equipment, and logistical services to supply all materials called for to complete these projects.

Detailed scope of work, design drawings maps, and other project documents available at <https://tinyurl.com/uvs6mmb9>.

Additional details concerning the scope of work needing to be done with each portion of the project will be addressed in the pre-proposal meeting.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with KORR Railroad prior to starting work. Prior to submitting a proposal.
- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved by the KORR prior to any work starting.
- All contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past will be required to complete the WATCO Contractor Orientation. A qualified RWIC roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

Work Windows

8 to 10-hour windows with possibility of one interruption per day.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by the KORR Railroad. All rails shall be replaced at standard gauge of 56-1/2." Switches must meet FRA 213 standard for guard check gage for Class 2 at 54-1/4."

Submittals

The following documents shall be submitted by the contractor as part of the project at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.
- Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state, and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials, trash, containers, etc., must be disposed of in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' feet from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the KORR Railroad.

Non-Project Areas

The KORR Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she so chooses. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

The KORR Railroad (Watco) shall hold a pre-proposal meeting at 9:00 a.m. April 29, 2025, to address any questions or clarify any portions of the project tasks. Please reach out to Steven Morgan for specific meeting details. Meeting will be held in the field at Ness City, Kansas. All attendees will need proper PPE and will need to sign a waiver. Please contact Michael T. Mcdermott by email prior to confirm attendance.

Meeting location: <https://maps.app.goo.gl/YCqgtUVoCwh7t8zP9>.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. May 6, 2025. All submitted proposals shall be reviewed by the KORR Railroad. Please ensure your proposal includes all required information. All incomplete proposals will be rejected. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below.

Provide a total sum of all line items on the proposal:

- Mobilization and Demobilization – Lump sum.
- Labor (install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the RFP or submittal of a proposal, please contact:

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

- Mike McDermott, Watco Senior Bridge Manager at michael.mcdermott@watco.com; phone 563-581-3250
- Heath Chischilly, Watco Bridge Manager at heath.chischilly@watco.com; phone 928-463-6631
- Steven Morgan, KORR Roadmaster at smorgan@watco.com; phone 316-215-4089
- Cody McGee, Division Engineer at cody.mcgee@watco.com; phone 217-855-4107

Work Reporting

Daily work reports must be filled out and submitted to Michael McDermott – Senior Bridge Manager, Heath Chischilly – Bridge Manager, Steven Morgan – KORR Roadmaster, and Cody McGee – Division Engineer. Those reports should include updates to project schedules, and any delays and/or changes in the scope of work. A detailed summary report must be submitted upon the completion of the project.

Cody McGee
Division Engineer
Watco

Doc. No. 053008

(Published in the Kansas Register April 10, 2025.)

Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of work for the Kansas & Oklahoma Railroad (KORR).

Scope of Work

This project consists of replacement of three switches, two #10 turnouts, and a #15 turnout. The #15 will be upgraded from the current #10 and will require the Point of Switch (POS) to change as well as realignment for the turnout side. The #15 will also include a power switch. One crossing will be replaced, along with the installation of 1,120 ties and 8,500 feet of surfacing.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with KORR Railroad prior to starting work. Prior to submitting a proposal.
- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved by the KORR Railroad prior to any work starting.
- All contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past, will be required to complete the WATCO Contractor Orientation. A RWIC qualified roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

Work Windows

Impact to current railroad operations must be kept to a minimum. When work must take place that causes an active track to be taken out of service for the purposes of performing work that pertains to the project, the contractor must pre-arrange a defined work window with the railroad. Contractor can expect two-day windows for the switch cut ins. This topic will be further discussed during the pre-proposal meeting, as operations may change.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by the KORR Railroad. All rails shall be replaced at standard gauge of 56-1/2."

Submittals

The following documents shall be submitted by the contractor as part of the project at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.
- Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state and local permits required for the work. Additional

permit information will be covered at the pre-proposal meeting.

- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials, trash, containers, etc., must be disposed of in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' feet from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the KORR Railroad.

Non-Project Areas

The KORR Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she so chooses. All areas (public, private and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the Contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

The KORR Railroad (Watco) shall hold a pre-proposal meeting at 10:30 a.m. May 13, 2025, to address any questions or clarify any portions of the project tasks. Please reach out to Herb Lamkin for specific meeting details.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 26, 2024. All submitted proposals shall be reviewed by the KORR Railroad. Please ensure your proposal includes all required information. All incomplete proposals shall be rejected. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below.

Provide a total sum of all line items on the proposal:

- Mobilization and Demobilization – Lump sum.
- Labor (install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Herb Lamkin, KORR Roadmaster, at hlamkin@watco.com; phone 316-215-4080.
- Cody McGee, Division Engineer, at cody.mcgee@watco.com; phone 217-855-4107.

Work Reporting

Daily work reports must be filled out and submitted to Herb Lamkin – KORR Roadmaster, Cody McGee –

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Division Engineer. Those reports should include updates to project schedules, any delays and/or changes in the scope of work. A detailed summary report must be submitted upon the completion of the project.

Cody McGee
Division Engineer
Watco

Doc. No. 053033

(Published in the Kansas Register April 10, 2025.)

South Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of work for the South Kansas & Oklahoma (SKOL) Railroad.

Scope of Work

Upgrade 21,120 linear feet of 115RE CWR and plates from the existing 9020. Plugging compound is required. Contractor is responsible for compound plug.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with SKOL Railroad prior to starting work. Prior to submitting a proposal.
- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any sub-contracted work will need to be approved by the SKOL Railroad prior to any work starting.
- All contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past, will be required to complete the WATCO Contractor Orientation. A RWIC qualified roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

Work Windows

8 to 10-hour windows with possibility of one interruption per day.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by the SKOL Railroad. All rails shall be replaced at standard gauge of 56-1/2." Switches must meet FRA 213 standard for guard check gage for Class 2 at 54-1/4."

Submittals

The following documents shall be submitted by the contractor as part of the project at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.
- Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state, and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials, trash, containers, etc., must be disposed of in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' feet from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the SKOL Railroad.

Non-Project Areas

The SKOL Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she so chooses. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

The SKOL Railroad (Watco) shall hold a pre-proposal meeting at 1:00 p.m. April 22, 2025, to address any questions or clarify any portions of the project tasks. Please reach out to Mike Mulnix for specific meeting details.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them. A NTP is in effect on this project – planned construction timeline is slated for completion in May 2024.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 29, 2025. All submitted proposals shall be reviewed by the SKOL Railroad. Please ensure your proposal includes all required information. All incomplete proposals shall be rejected. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below.

Provide a total sum of all Line Items on the proposal:

- Mobilization and Demobilization – Lump sum.
- Labor (install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Mike Mulnix, SKOL Roadmaster at mmulnix@watco.com; phone 620-330-7415
- Jerod Gofourth, Assistant SKOL Roadmaster at jgofourth@watco.com; phone 620-515-1809
- Cody McGee, Division Engineer at cody.mcgee@watco.com; phone 217-855-4107

Work Reporting

Daily work reports must be filled out and submitted to Mike Mulnix – SKOL Roadmaster, Jerod Gofourth – SKOL Asst. Roadmaster, and Cody McGee – Division Engineer. Those reports should include updates to project schedules, any delays and/or changes in the scope of work. A detailed summary report must be submitted

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

upon the completion of the project.

Cody McGee
Division Engineer
Watco

Doc. No. 053006

(Published in the Kansas Register April 10, 2025.)

South Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of work for the South Kansas & Oklahoma (SKOL) Railroad.

Scope of Work

Complete full rehabilitation of floor systems on two structures on the Coffeyville Subdivision located over US-169 Highway and East 12th Street in Coffeyville, Kansas. Complete the removal and replacement of both floor systems on both structures with new steel and timber components per design drawings. Provide all necessary labor, equipment and logistical services to supply all materials called for to complete these Projects. Coordinate and provide traffic control for both projects.

Detailed scope of work, design drawings, maps, and other project documents available at <https://tinyurl.com/bp8962x8>.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with SKOL Railroad prior to starting work. Prior to submitting a proposal.
- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved by the SKOL Railroad prior to any work starting.
- All Contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past will be required to complete the WATCO Contractor Orientation. A qualified RWIC roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

Work Windows

8 to 10-hour windows with possibility of one interruption per day.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by the SKOL Railroad. All rails shall be replaced at standard gauge of 56-1/2." Switches must meet FRA 213 standard for guard check gage for Class 2 at 54-1/4."

Submittals

The following documents shall be submitted by the contractor as part of the project at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.
- Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state, and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials, trash, containers, etc., must be disposed of in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' feet from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the SKOL Railroad.

Non-Project Areas

The SKOL Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she so chooses. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

There will be no site or pre-proposal meeting held. Please contact Michael T. McDermott by email with any questions or concerns.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 29, 2025. All submitted proposals shall be reviewed by the SKOL Railroad. Please ensure your proposal includes all required information. All incomplete proposals will be rejected. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below.

Provide a total sum of all line items on the proposal:

- Mobilization and Demobilization – Lump sum.
- Labor (install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Mike McDermott, Watco Senior Bridge Manager at michael.mcdermott@watco.com; phone 563-581-3250
- Heath Chischilly, Watco Bridge Manager at heath.chischilly@watco.com; phone 928-463-6631
- Michael Mulnix SKOL Roadmaster at mmulnix@watco.com; phone 620-330-7415

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

- Cody McGee, Division Engineer at cody.mcgee@watco.com; phone 217-855-4107

Work Reporting

Daily work reports must be filled out and submitted to Michael McDermott – Senior Bridge Manager, Heath Chischilly – Bridge Manager, Michael Mulnix – SKOL Roadmaster, and Cody McGee – Division Engineer. Those reports should include updates to project schedules, and any delays and/or changes in the scope of work. A detailed summary report must be submitted upon the completion of the project.

Cody McGee
Division Engineer
Watco

Doc. No. 053007

(Published in the Kansas Register April 10, 2025.)

South Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of work for the South Kansas & Oklahoma (SKOL) Railroad.

Scope of Work

Remove the existing diamond at the Cherryvale, Kansas interlocker including the existing ballast down to the subgrade. Replace with new 136RE O.W.L.S diamond and granite. Tie ins will be with new transition rails.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with SKOL Railroad prior to starting work. Prior to submitting a proposal.
- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved by the SKOL Railroad prior to any work starting.
- All contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past, will be required to complete the WATCO Contractor Orientation. A RWIC qualified roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

Work Windows

With notice of the installation, we can get an 8-10-hour window for the installation.

Standards

All standards referenced by the Project Plans and Specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by the SKOL Railroad. All rails shall be replaced at standard gauge of 56-1/2." Switches must meet FRA 213 standard for guard check gage for Class 2 at 54-1/4."

Submittals

The following documents shall be submitted by the contractor as part of the project at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.
- Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials, trash, containers, etc., must be disposed of in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' feet from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the SKOL Railroad.

Non-Project Areas

The SKOL Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she so chooses. All areas (public, private and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

The SKOL Railroad (Watco) shall hold a pre-proposal meeting at 10:00 a.m. April 22, 2025, to address any questions or clarify any portions of the project tasks. Please reach out to Mike Mulnix for specific meeting details.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them. A NTP is in effect on this project – planned construction timeline is slated for completion in May 2024.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 29, 2025. All submitted proposals shall be reviewed by the SKOL Railroad. Please ensure your proposal includes all required information. All incomplete proposals shall be rejected. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below.

Provide a total sum of all line items on the proposal:

- Mobilization and Demobilization – Lump sum.
- Labor (install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Mike Mulnix, SKOL Roadmaster, at mmulnix@watco.com; phone 620-330-7415.
- Jerod Gofourth, Assistant SKOL Roadmaster, jgofourth@watco.com; phone 620-515-1809.
- Cody McGee, Division Engineer, at cody.mcgee@watco.com; phone 217-855-4107.

Work Reporting

Daily work reports must be filled out and submitted to Mike Mulnix – SKOL Roadmaster, Jerod Gofourth – SKOL Assistant Roadmaster, and Cody McGee – Division Engineer. Those reports should include updates to project schedules, any delays and/or changes in the scope of work. A detailed summary report must be submitted

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

upon the completion of the project.

Cody McGee
Division Engineer
Watco

Doc. No. 053034

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) April 30, 2025, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 322 – Bridge Inspection
- 323 – Underwater Bridge Inspection

If a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Project

The Kansas Department of Transportation, Engineering and Design, Bureau of Structures and Geotechnology Services (BSGS), Bridge Inspection Unit is seeking assistance in conducting routine and special bridge inspections on the state highway system under a two-year contract. Two project numbers will be used each fiscal year of the project. The firm selected will provide certified team leaders who will assist KDOT BSGS personnel in scheduling, conducting, and reviewing inspections of bridge and culvert structures throughout the state. The consultant will also assist in training KDOT bridge inspectors. The consultant provided Team Leaders must have completed the two-Week NHI Bridge Inspection Course (NHI 130055), be up to date on the Bridge Inspection Refresher Course (NHI 130053), have completed the NSTM Inspection Course (NHI 130078), and have completed the Underwater Inspection Course (NHI 130091). The consultant will also be required to regularly update inspection and project data for use off site and archive project documents into the electronic bridge packets kept by BSGS. The consultant shall have two individuals that are embedded with KDOT BSGS in the field and in office, as required for work, typically four days per week. This may be from 26 to 52 weeks per year, as required for work with meeting schedule without overtime.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope.

Providing team leaders to lead KDOT inspectors scheduling, conducting and reviewing routine, special, and underwater bridge inspections in compliance with federal regulations concerning bridge safety inspections for bridge and culvert size structures on the state highway system, statewide.

Specific duties of the firm for specific bridge locations will be determined by the state bridge inspection engineer. Duties that the firm selected is anticipated to coordinate with KDOT forces to perform include:

- Routine Bridge Inspections:

- Schedule bridges for routine inspections:
 - Assign inspection crews.
- Perform field work for the routine bridge inspections:
 - Complete the inspection in InspectX (ratings, notes, photos, and recommendations).
- Review the scheduled inspections for the assigned area:
 - Update the ABCD list and the Maintenance list.
 - Attend and Run Area Review Meeting.
- Special (NSTM) and Routine Snooper Bridge Inspections:
 - Schedule bridges for Special (NSTM) and Routine Snooper Inspections:
 - Assign inspection crews.
 - Coordinate and set up traffic control with the area office.
 - When necessary, coordinate with the railroad for a flagger.
 - Perform field work for Special (NSTM) and Routine Inspections:
 - Operate the necessary equipment to complete the inspections.
 - Complete the inspection in InspectX (ratings, notes, photos, and recommendations).
 - Update the Defect spreadsheets.
 - Review the scheduled inspections:
 - Update the ABCD list and the Maintenance list.
- Underwater Bridge Inspections:
 - Schedule bridges for underwater inspections:
 - Assign inspection crews.
 - Coordinate the equipment that is needed.
 - Perform field work for the routine bridge inspections:
 - Complete the inspection in InspectX (ratings, notes, photos, and recommendations).
 - Review the scheduled inspections for the assigned area:
 - Update the ABCD list and the Maintenance list.
- Emergency damage inspections.
- Assist with the Implementation of the specifications for the national bridge inventory.

KDOT, at the Secretary's discretion, reserves the right to retain for subsequent consulting services the consultant selected to provide services associated with this Request for Proposals.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) March 30, 2025.
2. Ranking of proposals is expected to occur on or around May 2, 2025. Negotiations with the most highly ranked firm are expected to begin on or around May 23, 2025. An executed agreement is anticipated around June 13, 2025.
3. The program fiscal year for this project is FY2026 -FY2027(July 2025–June 2027). Project number for each Fiscal Year.
 - a. Anticipated Start Date: July 1, 2025
 - b. Target Completion Date: June 30, 2027

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:

- a. "EN-3789-26 & EN-3789-27_Embedded State Hwy System Br. Inspection FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
 6. The outline in Table 1 below describes the expected proposal organization and content sections.
 7. Depending on the number and quality of responses received, KDOT anticipates shortlisting (based on proposals) and holding interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems interviews to be necessary, interview details and requirements and evaluation criteria for the interview will be distributed to shortlisted consultant teams in advance.
 8. Table 2 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection.

Table 1 Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the bridge inspection efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the task. Include unique qualifications or experience related to the project approach.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and KDOT Bureau of Structures and Geotechnical Services	Describe team's familiarity with KDOT's Bridge Inspection process and standards. Describe familiarity with KDOT Bureau of Structures and Geotechnical Services and its practices.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%

Evaluation Factor	Weight
Past performance history for similar projects/services for KDOT	10%
Availability to respond to the work	20%
Unique qualifications	5%
Approach to quality control	15%
The quality and completeness of the response	10%
Understanding of KDOT Technical Policies	5%
Demonstrated understanding of nature and scope of project	15%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

The selected firm will be asked to enter scope and fee negotiations with KDOT for an agreement. In the event KDOT cannot reach an 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.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 17, 2025; answers will be provided to all prequalified consultants on April 24, 2025.

Calvin Reed
Secretary
Department of Transportation

State of Kansas

Department of Transportation

Request for Proposal

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) April 30, 2025, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 231 – Traffic Control Analysis and Design

If a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Project

The Kansas Department of Transportation, Bureau of Transportation Planning's Access Management Unit is seeking assistance to provide technical and engineering services to assist the KDOT Access Management Unit (AMU) with tasks routinely performed by the AMU Staff with One (1) part-time engineer. The engineer will be located in the consultant's office.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope.

The consultant engineer shall perform tasks and produce the deliverables as described. This person will act as project manager on assigned Access Management Construction Projects; review design plans as assigned by the Special Projects Manager; Assist the Special Projects Manager with review of complex Access Permits and the review of comprehensive traffic impact studies (TIS) and basic TIS for consistency with applicable engineering guidelines and standards, and coordination of agency wide evaluation of these requests and specialized investigations; assist the Special Projects Manager with preparation of access planning instruments and special studies. Preference will be given to engineers with experience in traffic analysis including familiarity with traffic modeling and simulation. Experience with reviewing site drainage studies is also desired. This person must exhibit excellent communication both verbally and written with property developers, consultants, and local public agencies throughout the permitting process and construction projects. This person is a decision-maker and frequently makes independent decisions using strategic and engineering judgement. This is a part-time position for eight (8) hours per week Monday-Friday. The term of this work is from July 2025 to the end of June of 2026. One year term, with option to renew up to three, 1-year terms.

KDOT, at the Secretary's discretion, reserves the right to retain for subsequent consulting services the consultant selected to provide services associated with this Request for Proposals.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) April 30, 2025.

2. Ranking of proposals is expected to occur on or around May 2, 2025. Negotiations with the most highly ranked firm are expected to begin on or around May 23, 2025. An executed agreement is anticipated around June 13, 2025.
3. The program fiscal year for this project is FY2026 (July 2025–June 2026).
 - a. Anticipated Start Date: July 1, 2025
 - b. Target Completion Date: June 30, 2026

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. "EN-1201-26_Embedded Traffic Engineer FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Depending on the number and quality of responses received, KDOT anticipates shortlisting (based on proposals) and holding interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems interviews to be necessary, interview details and requirements and evaluation criteria for the interview will be distributed to shortlisted consultant teams in advance.
8. Table 2 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection.

Table 1 Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	

Section	Description of Intent	Page Limit
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and KDOT Traffic Engineering Practices	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with KDOT Bureau of Traffic Engineering and its practices.	

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	15%
Availability to respond to the work	15%
Unique qualifications	5%
Approach to quality control	15%
The quality and completeness of the response	10%
Understanding of KDOT Technical Policies	5%
Demonstrated understanding of nature and scope of project	15%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services project for 1 year with option to renew up to three, 1-year terms. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

The selected firm will be asked to enter scope and fee negotiations with KDOT for an Agreement. In the event KDOT cannot reach an 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.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 17, 2025; answers will be provided to all prequalified consultants on April 24, 2025.

Calvin Reed
Secretary
Department of Transportation

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project described in Table 1 and Table 2 below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) April 30, 2025, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 162 – Long Range Planning

If a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <https://www.ksdot.gov/doing-business/design-consultants/design-consultant-prequalification>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Table 1: Background of Project

Project Number	Background and Scope of Project
P-1771-26	<p>KDOT's current State Freight Plan was adopted in May 2023, and serves as an update to KDOT's 2017 Kansas State Freight Plan and meets federal requirements established under the Bipartisan Infrastructure Law of 2021 (BIL). This plan guides the state's vision, goals, and objectives identified in the Kansas 2045 Long-Range Transportation Plan (LRTP).</p> <p>Kansas' current State Rail Plan was adopted in October 2022. This PRIIA compliant plan provides a clear understanding of the multimodal freight and rail systems, how industries and people use the systems, and the system needs, issues, and opportunities so KDOT can make better- informed policy and investment decisions.</p>

Table 2: Project Summary

P-1771-26 Scope of Project
<p>KDOT is seeking proposals from qualified firms to conduct an update to the Kansas State Freight and Rail Plans into one combined document. The Freight and Rail Plan will be multimodal in nature to include rail, highway, intermodal, and air cargo transportation. At a minimum, the plan will meet state freight plan criteria outlined in 49 U.S.C. § 70202 and the state rail plan criteria outlined under section 303 of the Passenger Rail Investment and Improvement Act (PRIIA). The intent is that this document's rail plan component provides an opportunity to fully envision and present the state's rail network within a broader context of the state's multimodal transportation system. It is expected that the selected consultant will identify opportunities that support both planning processes simultaneously while producing a document that meets both FRA and FHWA's requirements.</p>

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope:

- Public Involvement Services
- Preliminary Design Services
- Discovery Phase Services
- Planning Study Services (Including EA/EIS)
- RR Involvement

KDOT anticipates the following may be included in the consultant's scope in this phase:

- Public and stakeholder involvement (schools, agriculture, residential, businesses, commercial, industrial, local communities, railroads, freight, etc.)
- Traffic safety review; among other things, the safety review must consider crash history and risk factors, and link desired safety outcomes to improvement recommendations. The review shall also consider/evaluate recent safety investigations along the subject corridors.
- Market analysis of trends and opportunities for growth and future demand.
- Existing and future land-use and traffic projections.
- Corridor mobility analysis (multimodal, O/D, etc.)
- Freight and economic development consideration within the study area.
- High-level scan for potential utility, environmental, and historic property impacts.
- Corridor improvement recommendations and cost estimates for immediate, midterm, and ultimate improvements; and
- Implementation strategies for the plan, which shall include, but may not be limited to, funding opportunities and strategies under state and federal programs, such as the Federal Bipartisan Infrastructure Law (BIL).

The scope included herein may not be all-inclusive and is subject to change. KDOT, at the Secretary's discretion, reserves the right to retain for subsequent phases of design and consulting services the consultant selected to provide services associated with this Request for Proposals. Scope in subsequent phases will likely include, but is not limited to, plan development through preliminary and final design as well as traffic engineering.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) April 30, 2025.
2. Ranking of proposals is expected to occur on or around May 2, 2025. Negotiations with the most
3. Highly ranked firm are expected to begin on or around May 23, 2025. An executed agreement is anticipated around July 1, 2025.
4. The program fiscal year for this project is FY2026 (July 2026–June 2027).
 - a. Project Kickoff: Summer 2025
 - b. Public Engagement: Summer 2025, Fall 2026
 - c. Final Study: Spring 2027

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed the page limit laid out in Table 3 below (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. "P-1771-26_Statewide Rail and Freight Plan Updates FIRM NAME"

5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”), No. 10 (“Policy Regarding Sexual Harassment”), and No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 3 below describes the expected proposal organization and content section.
7. Depending on the number and quality of responses received, KDOT will shortlist (based on proposals) three to five firms and notify all firms submitting proposals of the shortlisted firms by return email. Thereafter, at KDOT’s option, shortlisted firms may be interviewed through virtual meeting prior to final selection (which may be based on both proposal and interview content). If
8. KDOT deems interviews to be necessary, interview details and requirements and evaluation criteria for the interview will be distributed to shortlisted firms in advance. Table 4 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection

Table 3: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	2 Pages
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	2 Pages
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	2 Pages
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

Table 4: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	10%
Proposed approach for review and analysis	10%
Approach and commitment to meet advertised schedule	15%
Past performance history for similar projects/services for KDOT	10%
Innovation/Creativity in solutions	15%
Availability to respond to the work	10%
The quality and completeness of the response	15%
Demonstrated understanding of nature and scope of project	10%
Identification of special conditions to be considered for the project	5%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)
- Special Attachment No. 12 (“Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems”)

Special Contract Conditions

The planning process is anticipated to be 12–18 months in duration.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express. Questions can be submitted until April 17, 2025; answers will be provided to all prequalified consultants on April 24, 2025.

Calvin Reed
Secretary
Department of Transportation

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform right of way services on multiple projects in various counties that are currently waiting on official ROW plans. Summary information for each project is provided below in Table 1.

Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) April 25, 2025, to be considered for selection. Note, proposals due are set at earlier date than the other Right of Way Services Request for Proposals that is released this month.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 301 – Land Surveying
- 302 – Engineering Surveying

Right of Way Services former category 336, is no longer a prequalified category and not listed in the new blue book, this project however does require those services. Here are the qualifications that must be demonstrated to be considered qualified

Right of Way Services

Development of the Existing Highway Right of Way Features and Preparation the proposed Highway Right of Way. The Bureau of Right of Way will assist in the activities between the consultant and the Bureau of Design to expedite the consultant's development of the existing highway right features and preparation of the legal description for the proposed highway right of way. The consultant shall use the electronic data processing techniques in design and plan preparation and said data files shall be organized as described in KDOT's "Graphic Standards Manuals"; delivered Intergraph's CADD files in the most current version of Microstation; and conform with the standard practices as described in the "Bureau of Right of Way – Engineering Section Manual".

The Bureau of Right of Way will provide the consultant (if not turnkey) with the following items as they become available in the course of the project development: Field Survey notes; project plans; strip map with tracts enumerated; certificates of title; available graphic files in the form of an Intergraph CADD design file in the current version of Microstation; and at the proper time, coordination with the Bureau of Design for establishing final right of way.

Qualifications

The consultant must be staffed with a licensed land surveyor from the State of Kansas who is directly responsible for the services.

For the listed blue book categories, if a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <https://www.ksdot.gov/doing-business/design-consultants/design-consultant-prequalification>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for right of way services, projects that are waiting on official ROW plans, the projects are listed in Table 1. This table provides summary information for each project. One consultant will be selected to perform services associated with each project listed. Firms can express interest in the project for which they would like to be considered by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for any project(s).

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope.

For all the proposed right of way projects listed in Table 1 below, the consultant will be developing the proposed or existing right of as per the standards and references of the Road design and BROW policies and manuals. Deliverables associated with the scope are anticipated to include: marked up plans for final right of way corrections, detailed documentation outlining the method for establishing the proposed right of way station offset report, exhibits for each tract/parcel, legal description for right of way and easements for each tract and/or parcel with the detailed outlining/method for establishing the parcel, a closure report with each legal for each parcel based on bearings/distances from description – not cogo, the final strip map in .DGN, .PDF, and .KMZ format with the proposed tracts and parcels, and a staking package. The scope included herein may not be all-inclusive and is subject to change. A scoping meeting will take place after consultant selection is made.

Table 1: Summary of Project Information

County	RT-CO	Project #	Project Type	Tracts	BROW Letting-18MO	KDOT Letting Date
Dickinson	15-21	KA-6561-01	Widen Shoulder and Bridge Replacement	23	January 22, 2025	July 22, 2026
Brown	73-7	KA-7009-01	Bridge Replacement	4	March 15, 2026	January 19, 2028
Jefferson	004-44	KA-7010-01	Bridge Replacement	4	March 20, 2027	September 15, 2028
Washington	22-101	KA-7013-01	Bridge Replacement	8	February 18, 2026	August 18, 2027
Ellsworth	14-27	KA-7014-01	Bridge Replacement	4	April 20, 26	October 20, 2027

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) April 25, 2025.
2. Ranking of proposals is expected to occur on or around April 28, 2025. Negotiations with the most highly ranked firm are expected to begin on or around May 5, 2025. An executed agreement is anticipated shortly thereafter.
3. Anticipated scope starts dates will be as soon as selection and agreements are in place. All dates are subject to change.

Due to the schedule the proposed ROW will require completion dates within the next 60 days.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed the page limit laid out in Table 3 below (including any cover letter, index, etc.) Page limit includes the requested Consultant Qualification Form for removed category(s). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid

- Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. "ROW Multiple Projects- Existing and/or Proposed 2025.04_FIRM NAME"
 5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
 6. The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages.
 - a. Each team is limited to a single, one-page cover letter.
 - b. Consultants may indicate interest in any and all projects, indicate preference (s) for up to three projects, and shall both indicate interest and preferences on the "April 2025 Proposed Right of Way Services Interest & Preference Form" is provided on the Bid Express page to complete and upload. Also, consultants are to use the bottom of that form to indicate any capacity limitations that need to be taken into account when making selections.
 - c. Thereafter, each team is limited to two pages per project in which they express interest. In these pages, consultants shall:
 - i. Describe the approach they plan to execute to deliver success on the project.
 - ii. Present the relevant qualifications and experience of the people they are proposing will provide the services.
 - iii. Provide the firm's familiarity with KDOT and the project area.
 - d. Finally, consultants are limited to a single, on-page descriptions of general qualifications ("Past Performance" selection plus "Approach to Quality Control" section) regardless of the number of projects in which they are expressing interest.
 7. Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
 8. Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.
 9. Table 4 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Qualification Form for Removed Category(s)	Fill out the "Consultant Qualification Form" for the indicated removed category(s) and submit with your proposal. Description of category indicated on page 1 of Request for Proposals.	2 Pages per each Removed Category
Consultant Project Interest and Preference	Fill out "April 2025 Proposed Right of Way Services Interest & Preference Form" and submit with your proposal.	1 Page

Section	Description of Intent	Page Limit
Project Approach	Demonstrate a unique approach to accomplish the needs of the project efficiently and to a high standard. Include cost-effective and optimized solutions to address. Include unique qualifications or experience related to the project approach.	2 Page
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	2 Pages
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Area	Describe team's familiarity with KDOT's design process and standards. Describe familiarity with the project area and any identified special site conditions.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	5%
Project approach	5%
Approach and commitment to meet advertised schedule	60%
Past performance history for similar projects/services for KDOT	20%
Availability to respond to the work	5%
Understanding of KDOT CAD standards and expectations for deliverables	5%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")
- Special Attachment No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems")

Special Contract Conditions

All work will for the proposed ROW will be coordinated with the staff of the BROW ENG Section.

The selected firm will be asked to enter scope and fee negotiations with KDOT for an agreement. In the event KDOT cannot reach an 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.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 16, 2025; answers will be provided to all prequalified consultants on April 21, 2025.

Calvin Reed
Secretary
Department of Transportation

Doc. No. 053029

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform proposed right of way services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) April 30, 2025, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 301 – Land Surveying
- 302 – Engineering Surveying

Right of Way Services former category 336, is no longer a prequalified category and not listed in the new blue book, this project however does require those services. Here are the qualifications that must be demonstrated to be considered qualified

Right of Way Services

Development of the Existing Highway Right of Way Features and Preparation the proposed Highway Right of Way. The Bureau of Right of Way will assist in the activities between the consultant and the Bureau of Design to expedite the consultant's development of the existing highway right features and preparation of the legal description for the proposed highway right of way. The consultant shall use the electronic data processing techniques in design and plan preparation and said data files shall be organized as described in KDOT's "Graphic Standards Manuals"; delivered Intergraph's CADD files in the most current version of Microstation; and conform with the standard practices as described in the "Bureau of Right of Way – Engineering Section Manual."

The Bureau of Right of Way will provide the consultant (if not turnkey) with the following items as they become available in the course of the project development: Field Survey notes; project plans; strip map with tracts enumerated; certificates of title; available graphic files in the form of an Intergraph CADD design file in the current version of Microstation; and at the proper time, coordination with the Bureau of Design for establishing final right of way.

Qualifications

The consultant must be staffed with a licensed land surveyor from the State of Kansas who is directly responsible for the services.

Firms will need to present their qualifications for this category on the two-page KDOT Consultant qualification form.

For the listed blue book categories, if a firm is not currently prequalified by KDOT in any of the required categories, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this solicitation for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <https://www.ksdot.gov/doing-business/design-consultants/design-consultant-prequalification>. Consultants may create a team to meet the prequalification requirements. All firms

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for proposed right of way services on the projects listed in Table 1. This table provides summary information for each project. One consultant will be selected to perform services associated with each project listed. Firms can express interest in the project for which they would like to be considered by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for any project(s).

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope.

For all the proposed right of way projects listed in Table 1 below, the consultant will be developing the Proposed Right of Way per KDOT standards of the Bureau of Right of Way (BROW) policies and manuals. Deliverables include marked-up plans for final right of way corrections, detailed documentation outlining the method for establishing the proposed right of way station offset report, exhibits for each tract/parcel, legal description for right of way and easements for each tract/parcel with detailing/method for establishing the parcel, a closure report with each legal for each parcel based on bearings/distances from the description. The final strip map in .DGN, .PDF, and .KMZ format with the proposed tracts and parcels and a staking package.

The majority of the projects are at field check stage the selection of the consultants will be based on their timely ability to complete the project to maintain the KDOT schedule for proposed right of way.

Table 1: Summary of Project Information

County	RT-CO	Project #	Project Type	Tracts	BROW Letting-18MO	KDOT Letting Date
Shawnee	24-89	KA-6480-01	2 Bridge Replacements	4	August 17, 2025	February 17, 2027
Franklin	33-30	KA-6550-02	Reconstruction/GDSV	11	July 19, 2026	January 19, 2028
Douglas	33-23	KA-6550-03	Reconstruction/GDSV	13	July 19, 2026	January 19, 2028
Brown	246-7	KA-6914-02	Culvert to Bridge Replacement	4	May 17, 2026	November 17, 2027
Lincoln	18-53	KA-7017-01	Bridge Replacement	4	April 18, 2027	October 18, 2028
Saline	135-85	KA-7019-01	Bridge Replacement	4	February 18, 2026	August 18, 2027
Osborne	181-71	KA-7022-01	Bridge Replacement	4	May 15, 2027	November 15, 2028
Grant	36-34	KA-7023-01	Bridge Replacement	8	January 7, 2026	July 7, 2027
Wallace	40-100	KA-7025-01	Bridge Replacement	4	April 18, 2027	October 18, 2028
Harper	002-39	KA-7028-01	Bridge Replacement	4	April 20, 2026	October 20, 2027
Hamilton	50-38	KA-7029-01	Bridge Replacement	4	May 17, 2026	November 17, 2027
Haskell	56-41	KA-7032-01	Bridge Replacement	4	February 16, 2027	August 16, 2028
Brown	246-7	KA-7036-01	Culvert to Bridge Replacement	4	May 17, 2026	November 17, 2027

KDOT, at the Secretary's discretion, reserves the right to retain for subsequent consulting services the consultant selected to provide services associated with this Request for Proposals.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) April 30, 2025.
2. Ranking of proposals is expected to occur on or around May 2, 2025. Negotiations with the most highly ranked firm are expected to begin on or around May 9, 2025. An executed agreement is anticipated shortly thereafter.
3. Anticipated scope starts dates will be as soon as selection and agreements are in place. All dates are subject to change.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed the page limit laid out in Table 3 below (including any cover letter, index, etc.). Page limit includes the requested Consultant Qualification Form for removed category(s). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. "Proposed ROW Multiple Projects 2025.04_FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages.
 - a. Each team is limited to a single, one-page cover letter.
 - b. Consultants may indicate interest in any and all projects, indicate preference (s) for up to three projects, and shall both indicate interest and preferences on the "April 2024 Proposed Right of Way Services Interest & Preference Form" is provided on the Bid Express page to complete and upload. Also, consultants are to use the bottom of that form to indicate any capacity limitations that need to be taken into account when making selections.
 - c. Thereafter, each team is limited to two pages per project in which they express interest. In these pages, consultants shall:
 - i. Describe the approach they plan to execute to deliver success on the project.
 - ii. Present the relevant qualifications and experience of the people they are proposing will provide the services.
 - iii. Provide the firm's familiarity with KDOT and the project area.
 - d. Finally, consultants are limited to a single, on-page descriptions of general qualifications ("Past Performance" selection plus "Approach to Quality Control" section) regardless of the number of projects in which they are expressing interest.
7. Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
8. Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.
9. Table 4 lists the evaluation criteria and associated weights which will be used to shortlist respondents and may be considered in final selection.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Qualification Form for Removed Category(s)	Fill out the “Consultant Qualification Form” for the indicated removed category(s) and submit with your proposal. Description of category indicated on page 1 of Request for Proposals.	2 Pages per each Removed Category
Consultant Project Interest and Preference	Fill out “April 2025 Proposed Right of Way Services Interest & Preference Form” and submit with your proposal.	1 Page
Project Approach	Demonstrate a unique approach to accomplish the needs of the project efficiently and to a high standard. Include cost-effective and optimized solutions to address. Include unique qualifications or experience related to the project approach.	2 Page
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	2 Pages
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	5%
Project approach	5%
Approach and commitment to meet advertised schedule	60%
Past performance history for similar projects/services for KDOT	20%
Availability to respond to the work	5%

Evaluation Factor	Weight
Understanding of KDOT CAD standards and expectations for deliverables	5%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")
- Special Attachment No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems")

Special Contract Conditions

BROW will manage the project along with the consultant to maintain the standards and expectations for the deliverables of the project right of way.

The selected firm will be asked to enter scope and fee negotiations with KDOT for an agreement. In the event KDOT cannot reach an 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.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until April 16, 2025; answers will be provided to all prequalified consultants on April 23, 2025.

Calvin Reed
Secretary
Department of Transportation

State of Kansas

Department of Transportation

Request for Proposals

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform construction inspection services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must upload a proposal by 12:00 p.m. (Central Time) April 30, 2025, to the Bid Express page to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following category(s):

- 241 – Construction Inspection and Testing

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Projects

With this single solicitation, KDOT is requesting consulting services for construction inspections on the projects listed in Table 1. This table provides summary information for each project. One consultant will be selected to perform services associated with each group listed. Firms can express interest in the groups for which they would like to be considered by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for any project(s).

Table 1: Summary of Project Information

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
24606	K156-042	KA-5802-01	Grading, Bridge, and Surfacing, Hodgeman	September 18, 2025	November 20, 2026	Dodge City	KDOT is providing two inspectors for the duration of this project.
25108	U040-089	KA-7504-01	Resurfacing, Shawnee	See comments	15	Topeka/Emporia	Anticipated start late fall 2025 or early 2026

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
25109	I470-089	KA-7240-02	Grading and Surfacing, Shawnee			Topeka/Emporia	
25110	U024-089	KA-7359-01	Bridge Repair, Shawnee		90	Topeka/Emporia	
25204	U077-057	KA-7490-01	Resurfacing, Marion	July 21, 2025	55	Marion	Tied to 7491-01
	U050-057	KA-7491-01	Resurfacing, Marion	July 21, 2025	55	Marion	Project to be grouped with KA 7490-01
25205	U056-057	KA-7568-01	Resurfacing, Marion	July 21, 2025	30	Marion	
25208	-106	KA-7492-01	Resurfacing, Multiple	June 25, 2025	40	Junction City	
25305	K009-069	KA-7567-01	Resurfacing, Norton	August 4, 2025	30	Phillipsburg	Group with 7527 and 7574
	U283-106	KA-7574-01	Resurfacing, Multiple	June 30, 2025	35	Phillipsburg	Group with 7527 and 7567
	K383-069	KA-7527-01	Resurfacing, Norton	June 2, 2025	30	Phillipsburg	Group with 7574 and 7567

Additional project information including construction scope to be inspected, a detailed description of the project location, and resources and inspection scope specifically requested from consultants in this request can be viewed in an online table at <https://ike.ksdot.gov/about/construction-inspection-rfps>. Upon publication of this Request for Proposals, KDOT anticipates each of these inspection efforts will require full teams (project manager and inspectors, as opposed to single role staff augmentation as is occasionally request) for various types of construction inspection except as noted in the table. Watch the website linked above for updated information. Tabulated information (both in this Request for Proposals and on the website) shall not be relied upon during inspections. It is provided for the convenience of consultants, specifically to aid in making decisions about which projects they are interested in performing.

Specific project needs are subject to modification and/or cancellation at KDOT's discretion.

Anticipated Consultant Scope

The scope of construction inspection services and certifications required will vary for each project and are listed in the table available on the website noted above. Inspection efforts will be managed out of the offices listed. Also included for the convenience of consultants are indications of which grouped projects are currently slated to be performed by the same contractors.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (Central Time) April 30, 2025.
- Ranking of proposals is expected to occur on or around May 2, 2025. Negotiations with the most highly ranked firm are expected to begin on or around May 9, 2025. An executed agreement is anticipated shortly thereafter.

3. Anticipated scope starts dates and working days or anticipated calendar completion dates are shown in the table. All dates are subject to change.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed the page limit laid out in Table 2 below (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. "ConstInsp Multiple Projects_2025.04 Release FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate"), No. 10 ("Policy Regarding Sexual Harassment"), and No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages.
 - a. Each team is limited to a single, one-page cover letter.
 - b. Consultants may indicate interest in any and all projects, indicate preference (s) for up to three projects, and shall both indicate interest and preferences on the "April 2025 Construction Inspections Interest & Preference Form" is provided on the Bid Express page to complete and upload. Also, consultants are to use the bottom of that form to indicate any capacity limitations that need to be taken into account when making selections.
 - c. Thereafter, each team is limited to two pages per project in which they express interest. In these pages, consultants shall:
 - i. Describe the approach they plan to execute to deliver success on the project.
 - ii. Present the relevant qualifications and experience of the people they are proposing will provide the services.
 - iii. Provide the firm's familiarity with KDOT and the project area.
 - d. Finally, consultants are limited to a single, on-page descriptions of general qualifications ("Past Performance" selection plus "Approach to Quality Control" section) regardless of the number of projects in which they are expressing interest.
7. Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
8. Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.

Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Consultant Project Interest & Preference	Fill out "April 2025 Construction Inspections Interest & Preference Form" and submit with your proposal.	1 Page

Section	Description of Intent	Page Limit
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.	2 Pages per project in which team is interested
Qualifications and Experience	For key personnel to be assigned to the project provide names, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Familiarity with KDOT and Project Area	Describe team's familiarity with KDOT's inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.	
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	1 Page total
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Understanding of KDOT contract administration and closeout procedures	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")
- Special Attachment No. 12 ("Certification of Company Not Currently Engaged in the Procurement or Obtainment of Certain Equipment, Services, or Systems")

Special Contract Conditions

Batch Request for Proposals.

Questions

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Questions can be submitted until April 16, 2025; answers will be provided to all prequalified consultants on April 23, 2025.

Calvin Reed
Secretary
Department of Transportation

Doc. No. 053028

State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of March 2025 for failure to timely file a biennial information report and pay the information report fee.

Please Note: The following list represents business entities forfeited in March. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity, go to the Kansas Business Center's Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution=e2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Domestic Business Entities

Excel of Topeka, LLC, Blue Springs, MO
Excel of Wichita, LLC, Blue Springs, MO
Excel OPCO Holdings, LLC, Prairie Village, KS
Fusion Martial Arts LLC, Lawrence, KS
G.O. Technologies LLC, Lawrence, KS

Foreign Business Entities

Tactical Hazards Group US, Inc., Blaine, WA
Morris & Dickson Holding Co., LLC, Shreveport, LA
Parkway VF LLC, Brooklyn, NY
Sunpower Capital Services, LLC, Austin, TX
Sunpower Corporation, Systems, Richmond, CA

Scott Schwab
Secretary of State

Doc. No. 053032

State of Kansas

Secretary of State
Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 10, 2025.)

Senate Bill No. 6

AN ACT concerning elections; prohibiting the use of any form of ranked-choice voting methods in conducting elections.

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

Section 1. (a) No form of ranked-choice voting method shall be used in determining the election or nomination of any candidate to any federal, state, county or other municipal elected office.

(b) As used in this section, the term “ranked-choice voting” means a form of voting that allows voters to rank two or more candidates for an elected office in order of preference and tabulates the cast ballots in multiple rounds with the elimination of the lowest vote-receiving candidate after each round until a candidate receives a majority of the votes cast.

(c) Any ordinance, resolution or regulation prohibited by subsection (a) that was adopted prior to July 1, 2025, shall be null and void.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 053016

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 10, 2025.)

Senate Bill No. 77

AN ACT concerning administrative rules and regulations; requiring state agencies to provide notice of revocation thereof; removing certain abolished or inactive state agencies from the five-year agency review requirement; amending K.S.A. 2024 Supp. 77-426 and 77-440 and repealing the existing sections.

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

Section 1. K.S.A. 2024 Supp. 77-426 is hereby amended to read as follows: 77-426. (a) All rules and regulations that are in force and effect at the time this act takes effect shall continue in full force and effect and may be amended, revived or revoked as provided by law. All new rules and regulations and all amendments, revivals or revocations of rules and regulations, other than temporary regulations, adopted in any year shall be filed with the secretary of state and shall become effective 15 days following its publication in the Kansas register or such later date as clearly expressed in the body of such rule and regulation.

(b) Except for rules and regulations revoked pursuant to subsection (d), as soon as possible after the filing of any rules and regulations by a state agency, the secretary of state shall submit to the joint committee on administrative rules and regulations such number of copies as may be requested by the joint committee on administrative rules and regulations.

(c) At any time prior to adjournment sine die of the regular session of the legislature, the legislature may adopt a concurrent resolution expressing the concern of the legislature with any permanent or temporary rule and regulation that is in force and effect and on file in the office of the secretary of state and any permanent rule and regulation filed in the office of the secretary of state during the preceding year and requesting the revocation of any such rule and regulation or the amendment of any such rule and regulation in the manner specified in such resolution.

(d) (1) Notwithstanding any other provision of the rules and regulations filing act, any rule and regulation may be revoked pursuant to this subsection if such rule and regulation is identified by a state agency in the report submitted to the joint committee on administrative rules and regulations pursuant to K.S.A. 2024 Supp. 77-440, and amendments thereto, as one that may be revoked pursuant to this subsection. A state agency may revoke a rule and regulation by filing a notice of such revocation with the secretary of state and causing such notice to be published in the Kansas register. Such notice of revocation shall not contain any new rules and regulations or any amendments to any rules and regulations.

(2) Prior to filing the notice of revocation with the secretary, the state agency shall:

(A) *Provide a written notice to businesses, local governmental units and members of the public known to the*

agency to be affected by the proposed revocation. Upon the written request of a member of the public, hold a public hearing on the proposed notice of revocation;

(B) submit the ~~notice of rules and regulations proposed for~~ revocation to the attorney general for review and approval in accordance with K.S.A. 77-420(d), and amendments thereto; and

(C) submit the notice of revocation to the joint committee on administrative rules and regulations and, upon request by the chairperson of such committee, appear before such committee at a hearing on such notice.

(3) The revocation of a rule and regulation under this subsection shall be effective 15 days following the date that the notice of such revocation is published in the Kansas register.

Sec. 2. K.S.A. 2024 Supp. 77-440 is hereby amended to read as follows: 77-440. (a) All rules and regulations adopted by state agencies under the provisions of K.S.A. 77-415 et seq., and amendments thereto, shall be reviewed every five years in accordance with this section.

(b) (1) Each state agency that has adopted rules and regulations shall submit a report to the joint committee on administrative rules and regulations on or before July 15 of the year that corresponds to such state agency under paragraph (2). Such report shall contain a summary of such state agency's review and evaluation of rules and regulations adopted by such state agency, including a statement for each rule and regulation as to whether such rule and regulation is necessary for the implementation and administration of state law or may be revoked pursuant to K.S.A. 77-426(d), and amendments thereto.

(2) Each state agency that has adopted rules and regulations shall submit a report as required under paragraph (1) in the years that correspond to such state agency as follows:

(A) For 2023 and every fifth year thereafter, the following state agencies:

(i) Department of administration;

(ii) municipal accounting board;

(iii) state treasurer;

(iv) Kansas department of agriculture;

(v) Kansas department of agriculture—division of water resources;

(vi) state election board;

(vii) secretary of state;

~~(viii)—livestock brand commissioner;~~

~~(ix) Kansas department of agriculture—division of animal health;~~

~~(x)(ix) Kansas bureau of investigation;~~

~~(xi)(x) Kansas department of agriculture—division of conservation;~~

~~(xii)(xi) agricultural labor relations board;~~

~~(xiii)—alcoholic beverage control board of review;~~

~~(xiv)(xii) Kansas department of revenue—division of alcoholic beverage control;~~

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

- ~~(xv)~~ athletic commission;
- ~~(xvi)~~~~(xiii)~~ attorney general;
- ~~(xvii)~~~~(xiv)~~ office of the state bank commissioner;
- ~~(xviii)~~~~(xv)~~ employee award board;
- ~~(xix)~~~~(xvi)~~ governmental ethics commission;
- ~~(xx)~~~~(xvii)~~ crime victims compensation board;
- ~~(xxi)~~~~(xviii)~~ Kansas human rights commission; *and*
- ~~(xxii)~~~~(xix)~~ state fire marshal; ~~and~~
- ~~(xxiii)~~ Kansas department of wildlife and parks;
- (B) for 2024 and every fifth year thereafter, the following state agencies:
 - (i) Kansas wheat commission;
 - ~~(ii)~~ Kansas state grain inspection department;
 - ~~(iii)~~ Kansas department for aging and disability services;
 - ~~(iv)~~~~(iii)~~ Kansas energy office;
 - ~~(v)~~~~(iv)~~ department of health and environment;
 - ~~(vi)~~~~(v)~~ Kansas department for children and families;
 - ~~(vii)~~ park and resources authority;
 - ~~(viii)~~ state salvage board;
 - ~~(ix)~~~~(vi)~~ Kansas department of transportation;
 - ~~(x)~~~~(vii)~~ Kansas highway patrol;
 - ~~(xi)~~~~(viii)~~ savings and loan department;
 - ~~(xii)~~~~(ix)~~ Kansas turnpike authority;
 - ~~(xiii)~~~~(x)~~ insurance department;
 - ~~(xiv)~~ food service and lodging board;
 - ~~(xv)~~ commission on alcoholism;
 - ~~(xvi)~~~~(xi)~~ corrections ombudsman board;
 - ~~(xvii)~~~~(xii)~~ department of corrections;
 - ~~(xviii)~~~~(xiii)~~ Kansas prisoner review board;
 - ~~(xix)~~ executive council;
 - ~~(xx)~~~~(xiv)~~ mined-land conservation and reclamation (KDHE);

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

~~(xxi)~~(xv) department of labor—employment security board of review;

~~(xxii)~~(xvi) department of labor;

~~(xxiii)~~(xvii) department of labor—division of employment; and

~~(xxiv)~~(xviii) department of labor—division of workers compensation;

(C) for 2025 and every fifth year thereafter, the following state agencies:

(i) State records board;

(ii) state library;

~~(iii)~~—board for the registration and examination of landscape architects;

~~(iv)~~ adjutant general's department;

~~(v)~~(iv) state board of nursing;

~~(vi)~~(v) Kansas board of barbering;

~~(vii)~~(vi) state board of mortuary arts;

~~(viii)~~—board of engineering examiners;

~~(ix)~~(vii) board of examiners in optometry;

~~(x)~~(viii) state board of technical professions;

~~(xi)~~(ix) Kansas board of examiners in fitting and dispensing of hearing instruments;

~~(xii)~~(x) state board of pharmacy;

~~(xiii)~~(xi) Kansas state board of cosmetology;

~~(xiv)~~(xii) state board of veterinary examiners;

~~(xv)~~(xiii) Kansas dental board;

~~(xvi)~~—board of examiners of psychologists;

~~(xvii)~~—registration and examining board for architects;

~~(xviii)~~(xiv) board of accountancy;

~~(xix)~~(xv) state bank commissioner—consumer and mortgage lending division;

~~(xx)~~—board of basic science examiners;

~~(xxi)~~(xvi) Kansas public employees retirement system;

~~(xxii)~~(xvii) office of the securities commissioner; and

~~(xxiii)~~(xviii) Kansas corporation commission;

(D) for 2026 and every fifth year thereafter, the following state agencies:

(i) Public employee relations board;

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

- (ii) abstracters' board of examiners;
- (iii) Kansas real estate commission;
- ~~(iv) education commission;~~
- ~~(v) state board of regents;~~
- ~~(vi) school budget review board;~~
- ~~(vii)(v) school retirement board;~~
- ~~(viii)(vi) state department of education;~~
- ~~(ix)(vii) Kansas department of revenue;~~
- ~~(x)(viii) Kansas department of revenue—division of property valuation;~~
- ~~(xi)(ix) state board of tax appeals;~~
- ~~(xii) crop improvement association;~~
- ~~(xiii)(x) Kansas office of veterans services;~~
- ~~(xiv)(xi) Kansas water office;~~
- ~~(xv)(xii) Kansas department of agriculture—division of weights and measures;~~
- ~~(xvi)(xiii) state board of healing arts;~~
- ~~(xvii) podiatry board;~~
- ~~(xviii)(xiv) behavioral sciences regulatory board;~~
- ~~(xix)(xv) state bank commissioner and savings and loan commissioner—joint regulations;~~
- ~~(xx)(xvi) consumer credit commissioner, credit union administrator, savings and loan commissioner and bank commissioner—joint regulations;~~
- ~~(xxi)(xvii) state board of indigents' defense services;~~
- ~~(xxii)(xviii) Kansas commission on peace officers' standards and training; and~~
- ~~(xxiii)(xix) law enforcement training center; and~~
- (E) for 2027 and every fifth year thereafter, the following state agencies:
 - (i) Kansas state employees health care commission;
 - (ii) emergency medical services board;
 - (iii) department of commerce;
 - (iv) Kansas lottery;
 - (v) Kansas racing and gaming commission;
 - (vi) Kansas department of wildlife and parks;

- (vii) Kansas state fair board;
- (viii) real estate appraisal board;
- (ix) state historical society;
- ~~(x) health care data governing board;~~
- ~~(xi)~~ state department of credit unions;
- ~~(xii)~~~~(xi)~~ pooled money investment board;
- ~~(xiii)~~~~(xii)~~ department of corrections—division of juvenile services;
- ~~(xiv)~~~~(xiii)~~ state child death review board;
- ~~(xv)~~~~(xiv)~~ Kansas agricultural remediation board;
- ~~(xvi)~~~~(xv)~~ unmarked burial sites preservation board;
- ~~(xvii)~~~~(xvi)~~ Kansas housing resources corporation;
- ~~(xviii)~~~~(xvii)~~ department of commerce—Kansas athletic commission;
- ~~(xix)~~~~(xviii)~~ department of health and environment—division of health care finance;
- ~~(xx)~~~~(xix)~~ home inspectors registration board;
- ~~(xxi)~~~~(xx)~~ committee on surety bonds and insurance;
- ~~(xxii)~~~~(xxi)~~ 911 coordinating council; and
- ~~(xxiii)~~~~(xxii)~~ office of administrative hearings.

(c) For any state agency not listed in subsection (b)(2) that adopts rules and regulations that become effective on or after July 1, 2022, such state agency shall submit a report to the joint committee on administrative rules and regulations in accordance with subsection (b)(1) on or before July 15 of the fifth year after such rules and regulations become effective and every fifth year thereafter.

(d) Notwithstanding any other provision of law, a rule and regulation may be adopted or maintained by a state agency only if such rule and regulation serves an identifiable public purpose to support state law and may not be broader than is necessary to meet such public purpose.

(e) This section shall be a part of and supplemental to the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto.

Sec. 3. K.S.A. 2024 Supp. 77-426 and 77-440 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 053019

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 10, 2025.)

Senate Bill No. 105

AN ACT concerning the offices of United States senator, state treasurer and the commissioner of insurance; relating to the filling of vacancies in such offices; requiring the appointment of a person of the same political party as the incumbent; requiring the legislature to nominate three persons for consideration for such appointment and that the governor appoint one of the nominated persons; establishing the joint committee on vacancy appointments; amending K.S.A. 25-101b and 40-106 and repealing the existing sections; also repealing K.S.A. 25-318.

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

New Section 1. (a) Upon a vacancy occurring in the office of United States senator from this state, the governor shall make a temporary appointment to fill such vacancy until a successor is elected and qualified. Such temporary appointment shall be made in accordance with the provisions of sections 2 through 4, and amendments thereto. Within three calendar days after receiving a concurrent resolution adopted pursuant to section 4, and amendments thereto, or a report submitted pursuant to section 3, and amendments thereto, the governor shall appoint one of the three persons recommended as candidates in such concurrent resolution or report to temporarily fill such vacancy. Except as otherwise provided, at the time of the next election of representatives in congress immediately following such vacancy, such vacancy shall be filled by election and the senator so elected shall take office upon receiving such senator's certificate of election. If the vacancy occurs on or after May 1 in an even-numbered year, then such vacancy shall be filled by election at the election of representatives in congress held two years following the year in which such vacancy occurs.

(b) No person shall be appointed pursuant to this act unless such person is a resident of this state and shall have been registered with the same political party for the immediately preceding six years as that of the United States senator elected at the immediately preceding election for such office. If the United States senator elected at the immediately preceding election for such office was not registered with any political party, then any suitable person who is a resident of this state may be appointed pursuant to sections 2 through 4, and amendments thereto.

(c) No person appointed pursuant to subsection (a) shall take office unless such appointment is certified by the secretary of state to the United States senate. The secretary shall not certify any person as being appointed to fill a vacancy in the office of United States senator unless such person is appointed in accordance with this section.

New Sec. 2. (a) Except as otherwise provided, within 10 calendar days of a vacancy occurring in the office of United States senator, the office of state treasurer or the office of the commissioner of insurance, the joint

committee on vacancy appointments shall be established by appointment of the members of the joint committee. The joint committee shall consist of 12 members as follows:

- (1) The president of the senate, or a member of the senate designated by the president;
 - (2) one member of the senate appointed by the president;
 - (3) the speaker of the house of representatives, or a member of the house of representatives designated by the speaker;
 - (4) one member of the house of representatives appointed by the speaker;
 - (5) two members of the senate appointed by the majority leader of the senate;
 - (6) two members of the house of representatives appointed by the majority leader of the house of representatives;
 - (7) one member of the senate appointed by the vice president of the senate;
 - (8) one member of the house of representatives appointed by the speaker pro tem of the house of representatives;
 - (9) one member of the senate appointed by the minority leader of the senate; and
 - (10) one member of the house of representatives appointed by the minority leader of the house of representatives.
- (b) Of the members named or appointed under subsections (a)(1), (a)(2), (a)(5) and (a)(7), each of this state's congressional districts shall be represented by at least one such member who shall be a resident thereof. Of the members named or appointed under subsections (a)(3), (a)(4), (a)(6) and (a)(8), each of this state's congressional districts shall be represented by at least one such member who shall be a resident thereof.
- (c) The joint committee on vacancy appointments shall not be established when a vacancy occurs less than 90 calendar days prior to December 31 in any year in which a general election for such office is held, unless the person vacating such office was elected to such office at such general election and was an incumbent in such election.
- (d) The president of the senate, or the president's designee, shall be the chairperson of the joint committee and the speaker of the house of representatives, or the speaker's designee, shall be the vice chairperson. The vice chairperson shall exercise all the powers of the chairperson in the absence of the chairperson.
- (e) The joint committee on vacancy appointments shall meet at any time and at any place within the state on call of the chairperson. Members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee.
- (f) The first meeting of the joint committee shall be held within 30 calendar days of a vacancy occurring in the office of United States senator, the office of state treasurer or the office of the commissioner of insurance.

New Sec. 3. (a) The joint committee on vacancy appointments shall review candidates to fill the vacancy described in section 2, and amendments thereto. Such review shall include verifying that such candidate satisfies federal and state requirements to hold such office and to be appointed to fill a vacancy in such office. The joint committee shall conduct one or more public hearings and shall grant each candidate an opportunity to be heard before the joint committee.

- (b) If the vacancy occurs during a regular session of the legislature, or occurs when the legislature is not in regular session but a special session of the legislature is called within five calendar days after such vacancy occurs, then, within 30 calendar days after the first meeting of the joint committee, the joint committee shall introduce a concurrent resolution in each house recommending three persons as candidates to fill the vacancy.
- (c) If the joint committee concludes its public hearings while the legislature is not in regular or special session, then, within 30 calendar days after the first meeting of the joint committee, the joint committee shall submit a report to the governor recommending three persons as candidates to fill the vacancy.
- (d) No member of the joint committee shall be recommended as a candidate to fill the vacancy.

New Sec. 4. (a) Each house shall consider any concurrent resolution that is introduced pursuant to section 3, and amendments thereto, within 10 days and shall either adopt such resolution or direct the joint committee to reconvene to reconsider candidates to fill the vacancy.

(b) When directed to do so by the legislature, the joint committee shall reconvene and act in accordance with section 3, and amendments thereto. When introducing any second or subsequent resolution, the joint committee may recommend one or more of the candidates who were recommended in any prior resolution.

Sec. 5. K.S.A. 25-101b is hereby amended to read as follows: 25-101b. (a) At the general election held in 1978 and each four ~~(4)~~ years thereafter, there shall be elected a treasurer for the state of Kansas, whose term of office shall be four ~~(4)~~ years beginning on the second Monday in January next succeeding such treasurer's election. In case of a vacancy in such office, *within three calendar days after receiving a concurrent resolution adopted pursuant to section 4, and amendments thereto, or a report submitted pursuant to section 3, and amendments thereto*, the governor shall appoint ~~some suitable person~~ *one of the three persons recommended as candidates in such concurrent resolution or report to serve for the unexpired term and until a successor is elected and qualified. No person shall be appointed pursuant to this section unless such person is a resident of this state and shall have been registered with the same political party for the immediately preceding six years as that of the state treasurer elected at the immediately preceding election for such office. If the state treasurer elected at the immediately preceding election for such office was not registered with any political party, then any suitable person who is a resident of this state may be appointed pursuant to sections 2 through 4, and amendments thereto.*

(b) *No person appointed pursuant to subsection (a) shall take office unless such appointment is certified by the secretary of state. The secretary shall not certify any person as being appointed to fill a vacancy in the office of treasurer for the state of Kansas unless such person is appointed in accordance with this section.*

Sec. 6. K.S.A. 40-106 is hereby amended to read as follows: 40-106. (a) At the general election held in 1978 and each four ~~(4)~~ years thereafter, there shall be elected a commissioner of insurance for the state of Kansas, whose term of office shall be four ~~(4)~~ years beginning on the second Monday in January next succeeding such commissioner's election. In case of a vacancy in such office, *within three calendar days after receiving a concurrent resolution adopted pursuant to section 4, and amendments thereto, or a report submitted pursuant to section 3, and amendments thereto*, the governor shall appoint ~~some suitable person~~ *one of the three persons recommended as candidates in such concurrent resolution or report to serve for the unexpired term and until a successor is elected and qualified. No person shall be appointed pursuant to this section unless such person is a resident of this state and shall have been registered with the same political party for the immediately preceding six years as that of the commissioner of insurance elected at the immediately preceding election for such office. If the commissioner of insurance elected at the immediately preceding election for such office was not registered with any political party, then any suitable person who is a resident of this state may be appointed pursuant to sections 2 through 4, and amendments thereto.*

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

(b) No person appointed pursuant to subsection (a) shall take office unless such appointment is certified by the secretary of state. The secretary shall not certify any person as being appointed to fill a vacancy in the office of commissioner of insurance for the state of Kansas unless such person is appointed in accordance with this section.

New Sec. 7. The provisions of sections 1 through 4, and amendments thereto, and K.S.A. 25-101b and 40-106, as amended by this act, are severable. If any portion of such provisions is declared unconstitutional or invalid, or the application of any portion of such provisions to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of such provisions that can be given effect without the invalid portion or application, and the applicability of such other portions of such provisions to any person or circumstance shall remain valid and enforceable.

Sec. 8. K.S.A. 25-101b, 25-318 and 40-106 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 053017

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 10, 2025.)

Senate Substitute for House Bill No. 2054

AN ACT concerning elections; relating to campaign contribution limits; increasing the limits on certain campaign contributions; amending K.S.A. 25-4153 and repealing the existing section.

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

Section 1. K.S.A. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any political committee or any person except a party committee, the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor or for other state officers elected from the state as a whole, ~~\$2,000~~ \$4,000 for each primary election~~}, or in lieu thereof, a caucus or convention of a political party),~~ and an equal amount for each general election.

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney or a candidate for local office *whose jurisdiction has a population that is fewer than 50,000*, ~~\$500~~ \$1,000 for each primary election~~}, or in lieu thereof, a caucus or convention of a political party),~~ and an equal amount for each general election.

(3) For the office of state senator ~~or~~, member of the state board of education *or a candidate for local office whose jurisdiction has a population that is 50,000 or more*, ~~\$1,000~~ \$2,000 for each primary election~~}, or in lieu thereof, a caucus or convention of a political party),~~ and an equal amount for each general election.

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level, when combined with all other contributions from the person making such loan, at the end of such allocable period.

(c) For the purposes of this section, all contributions made by unemancipated children under 18 years of age shall be considered to be contributions made by the parent or parents of such children. The total amount of such contribution shall be attributed to a single custodial parent and 50% of such contribution to each of two parents.

~~(d) The aggregate amount contributed to a state party committee by a person other than a national party committee or a political committee shall not exceed \$15,000 in each calendar year; and the aggregate amount contributed to any other party committee by a person other than a national party committee or a political committee shall not exceed \$5,000 in each calendar year.~~

~~The aggregate amount contributed by a national party committee to a state party committee shall not exceed \$25,000 in any calendar year, and the aggregate amount contributed to any other party committee by a national party committee shall not exceed \$10,000 in any calendar year.~~

~~The aggregate amount contributed to a party committee by a political committee shall not exceed \$5,000 in any calendar year.~~

~~(e)—(1) The aggregate amount contributed to a party committee, as defined in K.S.A. 25-4143(j)(1), (4) or (5), and amendments thereto, by a person other than a party committee shall not exceed \$35,000 in each calendar year.~~

~~(2) The aggregate amount contributed by a national party committee to a party committee, as defined in K.S.A. 25-4143(j)(1), (4) or (5), and amendments thereto, shall not exceed \$35,000 in any calendar year.~~

~~(3) The aggregate amount contributed to any party committee, as defined in K.S.A. 25-4143(j)(2) or (6), and amendments thereto, by a person other than a party committee shall not exceed \$10,000 in each calendar year.~~

~~(4) The aggregate amount contributed by a national party committee to any party committee, as defined in K.S.A. 25-4143(j)(2) or (6), and amendments thereto, shall not exceed \$10,000 in any calendar year.~~

~~(e) The amount contributed by each individual party committee of the same political party, other than a national party committee, to any candidate for office for any primary election at which two or more candidates are seeking the nomination of such party shall not exceed the following:~~

~~(1) For the pair of offices of governor and lieutenant governor and for each of the other state officers elected from the state as a whole, \$4,000 for each primary election, or in lieu thereof, a caucus or convention of a political party.~~

~~(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney or a candidate for local office whose jurisdiction has a population that is fewer than 50,000, \$1,000 for each primary election, or in lieu thereof, a caucus or convention of a political party.~~

~~(3) For the office of state senator, member of the state board of education or a candidate for local office whose jurisdiction has a population that is 50,000 or more, \$2,000 for each primary election, or in lieu thereof, a caucus or convention of a political party.~~

~~(f) No expenditures made by a party committee in support of a candidate, with or without such candidate's cooperation or consent, shall constitute a contribution.~~

~~(g) No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States that in the aggregate exceeds \$200 for any one primary or general election. No candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States that in the aggregate exceeds \$200 from any one person for any one primary or general election.~~

~~(h) (1) If a candidate or a candidate's candidate committee receives contributions prior to the date of the primary election and such contributions are designated for use in connection with the general election, such candidate or such committee shall use an acceptable accounting method to distinguish between contributions received for the primary election and contributions received for the general election. Acceptable accounting methods include, but are not limited to:~~

~~(A) The designation of separate accounts for each election; or~~

(B) *the establishment of separate books and records for each election.*

(2) *Under any acceptable accounting method, the authorized records of a candidate or candidate committee shall demonstrate that, prior to the primary election, the recorded amount of cash on hand was at all times equal to or in excess of an amount equal to the sum of the contributions received and designated for use in connection with the general election less the sum of disbursements made for the general election.*

(i) *For purposes of this section, "jurisdiction" means:*

(1) *The city, county or school district if the candidate is seeking election to a local office that is elected at large in such city, county or school district; and*

(2) *the electoral district if the candidate is seeking election as a member of a governing body that has member districts.*

(j) *Any political funds which that have been collected and were not subject to the reporting requirements of this act shall be deemed a person subject to these contribution limitations.*

(f)(k) *Any political funds which that have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.*

(g) ~~The amount contributed by each individual party committee of the same political party other than a national party committee to any candidate for office, for any primary election at which two or more candidates are seeking the nomination of such party shall not exceed the following:~~

(1) ~~For the pair of offices of governor and lieutenant governor and for each of the other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party).~~

(2) ~~For the office of member of the house of representatives, district judge, district magistrate judge, district attorney or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party).~~

(3) ~~For the office of state senator or member of the state board of education, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party).~~

(h) ~~When a candidate for a specific cycle does not run for office, the contribution limitations of this section shall apply as though the individual had sought office.~~

(i) ~~No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and No candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election.~~

Sec. 2. K.S.A. 25-4153 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 053039

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register April 10, 2025.)

House Bill No. 2110

AN ACT concerning emergency communication services; relating to the Kansas 911 act; eliminating the requirement that the state 911 board shall contract with a local collection point administrator for services; rescheduling the date on which the state 911 operations fund, state 911 grant fund and state 911 fund shall be established in the state treasury; rescheduling the date on which all moneys collected pursuant to the Kansas 911 act are to be transferred to the state treasury; requiring certain transfers to be made to the state 911 operations fund; authorizing the state 911 board to transfer annually any unencumbered moneys of the state 911 operations fund to the state 911 grant fund; amending K.S.A. 12-5363, as amended by section 11 of chapter 53 of the 2024 Session Laws of Kansas, 12-5367, as amended by section 15 of chapter 53 of the 2024 Session Laws of Kansas, 12-5368, as amended by section 18 of chapter 53 of the 2024 Session Laws of Kansas, 12-5369, as amended by section 19 of chapter 53 of the 2024 Session Laws of Kansas, 12-5370, as amended by section 20 of chapter 53 of the 2024 Session Laws of Kansas, 12-5372, as amended by section 22 of chapter 53 of the 2024 Session Laws of Kansas, 12-5374, as amended by section 25 of chapter 53 of the 2024 Session Laws of Kansas, and 12-5375, as amended by section 28 of chapter 53 of the 2024 Session Laws of Kansas, and K.S.A. 2024 Supp. 12-5377, 12-5387, 12-5388, 12-5389 and 12-5390 and repealing the existing sections.

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

New Section 1. (a) Upon receipt of the 911 fees remitted by a provider to the state board pursuant to K.S.A. 12-5370, and amendments thereto, the state board shall remit such moneys to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and, except as provided in subsection (b), shall credit \$.23 from every 911 fee remitted to the state 911 operations fund, \$.01 from every 911 fee remitted to the state 911 grant fund and the remaining amount of 911 fees remitted to the state 911 fund.

(b) If the amount of moneys credited to the state 911 operations fund pursuant to subsection (a) exceeds 15% of the total amount of the 911 fees remitted to the state treasurer over the prior three years, upon receipt of each such remittance pursuant to this section, the state treasurer shall credit any such moneys remitted to the state treasurer in excess of such 15% total to the state 911 grant fund.

(c) The provisions of this section shall take effect and be in force from and after January 1, 2026.

Sec. 2. K.S.A. 12-5363, as amended by section 11 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5363. As used in the Kansas 911 act:

(a) "Board" means the state 911 board.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

- (b) "Consumer" means a person who purchases prepaid wireless service in a retail transaction.
- (c) "Department" means the Kansas department of revenue.
- (d) "Enhanced 911 service" or "E-911 service" means an emergency telephone service that generally may provide, but is not limited to, selective routing, automatic number identification and automatic location identification features.
- (e) "Exchange telecommunications service" means the service that provides local telecommunications exchange access to a service user.
- (f) "GIS" means a geographic information system for capturing, storing, displaying, analyzing and managing data and associated attributes that are spatially referenced.
- (g) "GIS data" means the geometry and associated attributes packaged in a geodatabase that defines the roads, address points and boundaries within a PSAP's jurisdiction.
- (h) "Governing body" means the board of county commissioners of a county or the governing body of a city.
- ~~(i) "Local collection point administrator" or "LCPA" means the person designated by the board to serve as the local collection point administrator pursuant to K.S.A. 12-5367, and amendments thereto.~~
- ~~(j)~~—(j) "Multi-line telephone system" means a system comprised of common control units, telephones and control hardware and software providing local telephone service to multiple end-use customers that may include VoIP service and network and premises based systems such as centrex, private branch exchange and hybrid key telephone systems.
- ~~(k)~~(j) "Next generation 911" means 911 service that conforms with national emergency number association (NENA) i3 standards and enables PSAPs to receive Enhanced 911 service calls and emergency calls from Internet Protocol (IP) based technologies and applications that may include text messaging, image, video and data information from callers.
- ~~(l)~~(k) "Non-traditional PSAP" means a PSAP not operated by a city or county, including, but not limited to, PSAPs operated by universities, tribal governments or the state or federal government.
- ~~(m)~~(l) "Person" means any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy or any other legal entity.
- ~~(n)~~(m) "Prepaid wireless service" means a wireless telecommunications service that allows a caller to dial 911 to access the 911 system, that is paid for in advance and sold in predetermined units or dollars of which the number declines with use in a known amount.
- ~~(o)~~(n) "Place of primary use" has the meaning provided in the mobile telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect on July 1, 2025.
- ~~(p)~~(o) "Provider" means any person providing exchange telecommunications service, wireless telecommunications service, VoIP service or other service capable of contacting a PSAP. "Provider" includes a 911 system operator.
- ~~(q)~~(p) "PSAP" means a public safety answering point operated by a city or county.
- ~~(r)~~(q) "Retail transaction" means the purchase of prepaid wireless service from a seller for any purpose other

than resale, not including the use, storage or consumption of such services.

~~(s)~~(r) "Seller" means a person who sells prepaid wireless service to another person.

~~(t)~~(s) "Service user" means any person who is provided exchange telecommunications service, wireless telecommunications service, VoIP service, prepaid wireless service or any other service capable of contacting a PSAP.

~~(u)~~(t) "Subscriber account" means the 10-digit access number assigned to a service user by a provider for the purpose of billing a service user up to the maximum capacity of the simultaneous outbound calling capability of a multi-line telephone system or equivalent service.

~~(v)~~(u) "Subscriber radio equipment" means mobile and portable radio equipment installed in vehicles or carried by persons for voice communication with a radio system.

~~(w)~~(v) "VoIP service" means voice over internet protocol.

~~(x)~~(w) "Wireless telecommunications service" means commercial mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on July 1, 2025.

~~(y)~~(x) "911 call" means any electronic request for emergency response, presented by means of wireline, wireless, VoIP or telecommunications device for the deaf (TDD) technology, text message or any other technology by which a service user initiates an immediate information interchange or conversation with a PSAP.

~~(z)~~(y) "911 system operator" means any entity that accepts 911 calls from providers, processes those calls and presents those calls to the appropriate PSAP.

Sec. 3. K.S.A. 12-5367, as amended by section 15 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5367. (a) The state 911 board, by an affirmative vote of nine voting members, shall select the local collection point administrator. In selecting the LCPA, the board shall contract with the LCPA for services for no longer than two years, however, the board may, by an affirmative vote of nine voting members, extend such contract for up to two additional years. The board shall receive the approval of the legislative coordinating council in selecting an LCPA if the entity to be designated as the LCPA is different than the previous entity designated as the LCPA. The board shall annually review the designation of the LCPA and the contract with the LCPA.

(b) Any contract made between the 911 coordinating council and an LCPA that is in existence on January 1, 2025, shall continue to be valid, effective and enforceable until extended, revised, revoked or terminated by the board.

(c) The LCPA shall be subject to the requirements of the Kansas open meetings act and, except as provided in K.S.A. 12-5374, and amendments thereto, the Kansas open records act. The LCPA shall treat all moneys received by the LCPA as public funds pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto. Notwithstanding any other provision of law to the contrary, the LCPA shall not be considered a state agency.

(d) *This section shall expire on January 1, 2026.*

Sec. 4. On and after January 1, 2026, K.S.A. 12-5368, as amended by section 18 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5368. (a) ~~(1) Except as provided for in paragraph (2), prior to the distribution of moneys pursuant to K.S.A. 12-5374, and amendments thereto, the LCPA shall withhold \$.23 from every 911 fee remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall remit~~

~~such moneys to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 operations fund established pursuant to section 5, and amendments thereto.~~

~~(2) If the moneys withheld from distribution pursuant to paragraph (1) exceed 15% of the total receipts received by the LCPA from providers and the department over the prior three years, such moneys in excess of that 15% total shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 grant fund established pursuant to section 6, and amendments thereto.~~

~~(3) If the balance in the state 911 grant fund is less than \$2,000,000, prior to the distribution pursuant to K.S.A. 12-5374, and amendments thereto, the LCPA shall withhold \$.01 from every 911 fee remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall remit such moneys to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 grant fund established pursuant to section 6, and amendments thereto.~~

~~(b) The state 911 board shall be responsible for ensuring that the moneys collected from 911 fees and prepaid wireless 911 fees are only expended for purposes authorized pursuant to the Kansas 911 act.~~

~~(c)(b) The state 911 board shall develop criteria for eligible purchases and for grant applicants and make the final determination as to the distribution of grant funds. Such criteria shall promote the procurement of equipment that meets open architecture and national technical standards. Grant moneys shall not be used to procure, maintain or upgrade subscriber radio equipment.~~

~~(d)(c) The state 911 board or the LCPA shall be authorized to maintain an action to collect any moneys owed by any provider in the district court in the county of the registered office of such provider or, if such provider does not have a registered office in the state, such an action may be maintained in the county where such provider's principal office is located. If such provider has no principal office in the state, such an action may be maintained in the district court of any county where such provider provides service.~~

Sec. 5. K.S.A. 12-5369, as amended by section 19 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5369. (a) Except as provided in subsection (b), there is hereby imposed a 911 fee in the amount of \$.90 per month per subscriber account of any exchange telecommunications service, wireless telecommunications service, VoIP service, or other service capable of contacting a PSAP. Such fee shall not be imposed on prepaid wireless service. It shall be the duty of each exchange telecommunications service provider, wireless telecommunications service provider, VoIP service provider or other service provider to remit such fees to the LCPA as provided in K.S.A. 12-5370, and amendments thereto.

(b) The state 911 board may, pursuant to rules and regulations, lower the 911 fee established pursuant to subsection (a) upon a finding that the moneys generated by such 911 fee exceed the costs required to operate PSAPs in the state.

Sec. 6. K.S.A. 12-5370, as amended by section 20 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5370. (a) Every billed service user shall be liable for the 911 fee until such fees have been paid to the exchange telecommunications service provider, wireless telecommunications service provider, VoIP service provider or other service provider.

(b) All providers shall have the duty to collect the 911 fee imposed pursuant to K.S.A. 12-5369, and amendments

thereto. Such 911 fee shall be added to and may be stated separately in billings for the subscriber account. If stated separately in billings, the fees shall be labeled "911 fees."

(c) The provider shall have no obligation to take any legal action to enforce the collection of the 911 fee. The provider shall provide annually to the ~~LCPA~~ *state 911 board* a list of the amount of uncollected 911 fees along with the names and addresses of those service users that carry a balance that can be determined by the provider to be nonpayment of such fees.

(d) The 911 fee shall be collected insofar as practicable at the same time as, and along with, the charges for local exchange, wireless, VoIP or other service in accordance with regular billing practice of the provider.

(e) Each provider shall remit the amount of all 911 fees collected in each calendar month to the ~~LCPA~~ *state 911 board* not more than 15 days after the close of such calendar month. Upon each such remittance, the provider shall file a return for the preceding month with the ~~LCPA~~ *board*. Such *remittance and* return shall be provided in such form and manner as required by the board. ~~The provider required to file the return shall deliver the return together with a remittance of the amount of fees payable to the LCPA.~~ The provider shall maintain records of the amount of any such fees collected in accordance with this act for a period of three years from the time the fees are collected.

(f) The provisions of this section shall not be construed to apply to the prepaid wireless 911 fee.

Sec. 7. On and after January 1, 2026, K.S.A. 12-5372, as amended by section 22 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees collected by sellers shall be remitted to the department by electronic filing that is consistent with the provisions of article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The department shall establish registration and payment procedures for the collection of the prepaid wireless 911 fee.

(b) To minimize additional costs to the department, the department may conduct audits of sellers in conjunction with sales and use tax audits. The department is authorized to provide the board ~~and LCPA~~ with information obtained in such audits if such information indicates that a seller may not be complying with the provisions of this section and K.S.A. 12-5371, and amendments thereto. ~~The board or LCPA~~ may request the department to initiate collection or audit procedures on individual sellers if collection efforts by the board ~~or LCPA~~ are unsuccessful.

(c) The department shall establish procedures by which a seller may document that a sale is not a retail sale, which procedures shall substantially coincide with procedures for documenting sale for resale transactions for article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

(d) (1) Except as provided in paragraph (2), the department shall remit all moneys collected from the prepaid wireless 911 fees to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 operations fund ~~established pursuant to section 5, and amendments thereto.~~

(2) If the department remits \$3,000,000 to the state treasurer pursuant to paragraph (1) in any given year, then all remaining moneys collected from the prepaid wireless 911 fee shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 fund ~~established pursuant to section 7, and amendments thereto.~~ Such moneys shall be distributed to governing bodies and PSAPs in an amount proportional to each county's population as a percentage share of the population of the state. For each PSAP within a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP's population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the governing body that contracts with

another governing body of a PSAP for the provision of 911 PSAP services. Moneys distributed pursuant to this paragraph shall only be used for the uses authorized in K.S.A. 12-5375, and amendments thereto.

Sec. 8. On and after January 1, 2026, K.S.A. 12-5374, as amended by section 25 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-5368, and amendments thereto credited to the state 911 operations fund and state 911 grant fund pursuant to K.S.A. 12-5372, and amendments thereto, and section 1, and amendments thereto, and any amounts withheld from distribution pursuant to section 4 K.S.A. 2024 Supp. 12-5386, and amendments thereto, not later than 30 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and amendments thereto, and prepaid wireless 911 fees from the department pursuant to K.S.A. 12-5372, and amendments thereto, the state 911 board shall distribute such moneys to the PSAPs or to governing bodies that contract with another governing body of a PSAP for the provision of 911 PSAP services. The amount of money distributed to the PSAPs in each county, or to any governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, shall be based upon the amount of 911 fees collected from service users located in that county, based on place of primary use information provided by the providers, by using the following distribution method:

Population of county	Percentage of collected 911 fees to distribute
Over 80,000.....	85%
65,000 to 79,999.....	88%
55,000 to 64,999.....	91%
45,000 to 54,999.....	94%
35,000 to 44,999.....	97%
Less than 35,000.....	100%

(2) If the calculated amount for distribution within a county is less than \$70,000, the \$70,000 shall be distributed for services within that county.

~~(3)~~—The state 911 board may increase the minimum county distribution amount not more than once per calendar year by an amount that shall not exceed the minimum county distribution amount established for the preceding calendar year multiplied by the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor for the preceding calendar year. Prior to increasing the minimum county distribution amount, the state 911 board shall evaluate:

(A) Whether an increase is needed based on the expenditures of the counties that are subject to such minimum distribution; and

(B) the impact of any such proposed increase to the long-term financial stability of all other distributions to PSAPs and counties made pursuant to this section.

~~(4)~~—If there is a single PSAP providing services for a county, such PSAP shall receive the governing body's distribution, if any. If there is more than one PSAP in a county then distributions to each PSAP shall be proportionately divided between the PSAPs in the county.

~~(5)~~(3) After each distribution that is made pursuant to this section, the state 911 board or LCPA shall certify to the director of accounts and reports the total amount of unencumbered moneys remaining in the state 911 fund and the amount of moneys that could not be attributed to a specific PSAP or governing body. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state 911 fund to the state 911 operations fund.

(b). The state 911 board and the LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.

(c) Records provided by any provider to the LCPA or to the state 911 board pursuant to this act shall be treated as proprietary records and shall be withheld from the public upon request of the provider submitting such records.

Sec. 9. On and after January 1, 2026, K.S.A. 12-5375, as amended by section 28 of chapter 53 of the 2024 Session Laws of Kansas, is hereby amended to read as follows: 12-5375. (a) (1) Moneys distributed to governing bodies and PSAPs pursuant to K.S.A. 12-5374, and amendments thereto, and any interest earned on revenue derived from such moneys, shall be used only for necessary and reasonable costs incurred or to be incurred by governing bodies and PSAPs for:

- (A) Implementation of 911 services;
- (B) purchase of 911 equipment and upgrades;
- (C) maintenance and license fees for 911 equipment;
- (D) training of personnel, not to include salaries;
- (E) monthly recurring charges billed by service suppliers;
- (F) installation, service establishment and nonrecurring start-up charges billed by the service supplier;
- (G) charges for capital improvements and equipment or other physical enhancements to the 911 system;
- (H) maintenance and updates that are necessary to maintain accurate GIS data;
- (I) emergency repair or replacement of a radio tower; or
- (J) the original acquisition and installation of road signs designed to aid in the delivery of emergency service.

(2) Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase, procure, maintain or upgrade subscriber radio equipment.

(3) A governing body may contract with another governing body of a PSAP for the provision of 911 PSAP services provided that the moneys distributed to any such governing body pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used as authorized by this section. If a governing body serves as the provider of PSAP services for another governing body, both governing bodies shall enter into a contract or memorandum of agreement that addresses contingency plans and overflow arrangements. Any such contract or memorandum of agreement shall be reviewed by the state 911 board with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the state 911 board determines that any such provisions are not acceptable, the state 911 board and the governing bodies shall collaborate and work to resolve such concerns prior to the effective date of such contract or memorandum of agreement. Any governing body contracting with another governing body of a PSAP for the provision of 911 PSAP services shall establish in the contract or memorandum of agreement an agreed upon percentage of the governing body's distribution amount for the ~~LCPA~~ *state 911 board* to distribute to the governing body of the PSAP that is providing the 911 services.

(b) The state 911 board shall, pursuant to rules and regulations, establish a process for a PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, to seek pre-approval of an expenditure. The state 911 board shall respond in writing to any pre-approval request within

30 days and inform the PSAP stating whether the requested expenditure is approved or disapproved. If the expenditure is disapproved, the written notification shall state the reason for the disapproval and such PSAP or governing body may, within 15 days after service of the notification, make a written request to the state 911 board to appeal the board's decision and for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The state 911 board shall annually review expenditures of 911 moneys reported on the annual report for each PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services and shall appoint a committee to review such expenditures. If the committee determines that a reported expenditure was not authorized by this act, the committee shall request that the expenditure be refunded by the PSAP or governing body to the PSAP's or governing body's 911 account. If a PSAP or governing body does not concur with the finding of the committee, the PSAP or governing body may request a review of the decision of the committee before the state 911 board. If the state 911 board, based upon information obtained from an audit, determines that any PSAP or governing body has used any 911 fees for any purpose other than those authorized in this act, the governing body for such PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services shall repay all such moneys used for any unauthorized purposes to the 911 fee fund of such PSAP or governing body. Upon a finding that the expenditure was made intentionally for a purpose clearly established as an unauthorized expenditure, the state 911 board may require such PSAP or governing body to pay the lesser of \$500 or 10%, of such misused moneys, to the ~~LCPA~~ *state 911 board*. Upon receipt of any moneys paid pursuant to this subsection, the ~~LCPA~~ *state 911 board* shall remit such moneys to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the state 911 board. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repaid and the right of such PSAP or governing body to appeal to a hearing before the Kansas office of administrative hearings. Any such PSAP or governing body may, within 15 days after service of the order, make a written request to the state 911 board for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any final action of the state 911 board pursuant to subsection (b) or (c) is subject to review in accordance with the Kansas judicial review act.

Sec. 10. K.S.A. 2024 Supp. 12-5377 is hereby amended to read as follows: 12-5377. (a) The receipts and disbursements of the LCPA shall be audited yearly by a licensed municipal accountant or certified public accountant.

(b) The LCPA may require an audit of any provider's books and records concerning the collection and remittance of fees pursuant to this act. The cost of any such audit shall be paid from the 911 operations fund.

(c) *This section shall expire on January 1, 2026.*

Sec. 11. K.S.A. 2024 Supp. 12-5387 is hereby amended to read as follows: 12-5387. (a) On or before the 15th day of each month, the state 911 board, *or the entity that the board has contracted for services*, shall ~~require the LCPA to~~ provide a monthly report that accounts for every transaction that has occurred during the previous month in the 911 state fund, 911 state grant fund and the 911 operations fund established outside the state treasury pursuant to K.S.A. 12-5368, and amendments thereto. Such report shall include line item amounts and details for every transaction, including debits, credits, transfers, fees assessed, interest earned, change in ownership, change in authorized signatories or any other event that may have altered the structure or balance of the account. The ~~LCPA~~ *state 911 board, or the entity that the board has contracted for services*, shall submit

each monthly report to the secretary of administration and to the director of legislative research. On or before January 31, 2026, the state 911 board shall prepare and submit to the legislature a report that summarizes the transactions reported in such monthly reports and shall confirm that the accounts have been closed and all assets have been transferred to the state treasury in accordance with the requirements of K.S.A. 2024 Supp. 12-5388 through 12-5390, and amendments thereto.

- (b) The provisions of this section shall take effect and be in force on and after July 1, 2025.
- (c) This section shall expire on February 1, 2026.

Sec. 12. K.S.A. 2024 Supp. 12-5388 is hereby amended to read as follows: 12-5388. (a) There is hereby created in the state treasury the state 911 operations fund. ~~All moneys received pursuant to K.S.A. 12-5368, 12-5372 and 12-5374, and amendments thereto, for purposes of such fund shall be deposited into the state 911 operations fund.~~ All expenditures from the state 911 operations fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the state 911 board or the chairperson's designee.

(b) The state 911 operations fund shall be used only for the following purposes:

- (1) Administrative and operational expenses of the state 911 board, including salaries of persons employed by the board;
 - (2) payment and expenses incurred pursuant to contracts entered into by the board for the performance of the powers, duties and functions of the board;
 - (3) payment to state agencies or independent contractors for expenses incurred in carrying out the powers, duties and functions of the board; and
 - (4) development, deployment, implementation and maintenance of the statewide next generation 911 system.
- (c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the state 911 operations fund interest earnings based on:

- (1) The average daily balance of moneys in the state 911 operations fund for the preceding month; and
- (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) The state 911 operations fund shall be used for the purposes set forth in this act and for no other governmental purposes. Moneys in the state 911 operations fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(e) *On July 1, 2025, the state 911 board, or the entity that the board has contracted for services, shall remit \$1,000,000 from the 911 operations fund established outside the state treasury pursuant to K.S.A. 12-5368, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 operations fund.*

(f) *If the state 911 board determines that unencumbered moneys remain in the state 911 operations fund from a prior fiscal year, upon the affirmative vote of a majority of the members of the state 911 board, the chairperson of the state 911 board or the chairperson's designee may, once per fiscal year, certify to the director of accounts and reports an amount of such unencumbered moneys in the state 911 operations fund. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state 911 operations fund to the state 911 grant fund. Prior to certifying such amount to the director of*

accounts and reports, the state 911 board shall ensure that such transfer is based on the board's assessment of operational needs and will not impair the board's ability to continue to meet the board's statutory obligations.

(g) On January 12, 2026:

(1) The ~~LCPA~~ state 911 board, or the entity that the board has contracted for services, shall remit to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, the balance of all moneys in the 911 operations fund established pursuant to K.S.A. 12-5368, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 operations fund.

(2) All liabilities of the 911 operations fund are hereby transferred to and imposed on the state 911 operations fund.

(3) The 911 operations fund established ~~by the LCPA~~ outside the state treasury pursuant to K.S.A. 12-5368, and amendments thereto, is hereby abolished.

~~(f)~~(h) The provisions of this section shall take effect and be in force on and after ~~January 1, 2026~~ July 1, 2025.

Sec. 13. K.S.A. 2024 Supp. 12-5389 is hereby amended to read as follows: 12-5389. (a) There is hereby created in the state treasury the state 911 grant fund. ~~All moneys received pursuant to K.S.A. 12-5368 and 12-5374, and amendments thereto, for purposes of such fund shall be deposited into the state 911 grant fund.~~ All expenditures from the state 911 grant fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the state 911 board or the chairperson's designee.

(b) The state 911 grant fund shall be used only for the following purposes:

(1) Providing state grants for projects involving the development and implementation of next generation 911 services;

~~(2) provide~~ providing grants to PSAPs based on demonstrated need; and

(3) costs associated with PSAP consolidation or cost-sharing projects.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the state 911 grant fund interest earnings based on:

(1) The average daily balance of moneys in the state 911 grant fund for the preceding month; and

(2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) The state 911 grant fund shall be used for the purposes set forth in this act and for no other governmental purposes. Moneys in the state 911 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(e) On January 12, 2026:

(1) The ~~LCPA~~ state 911 board, or the entity that the board has contracted for services, shall remit to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, the balance of all moneys in the 911 state grant fund established pursuant to K.S.A. 12-5368, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 grant fund.

- (2) All liabilities of the 911 state grant fund are hereby transferred to and imposed on the state 911 grant fund.
- (3) The 911 state grant fund established by the LCPA *outside the state treasury* pursuant to K.S.A. 12-5368, and amendments thereto, is hereby abolished.
- (f) The provisions of this section shall take effect and be in force on and after ~~January 1, 2026~~ *July 1, 2025*.

Sec. 14. K.S.A. 2024 Supp. 12-5390 is hereby amended to read as follows: 12-5390. (a) There is hereby created in the state treasury the state 911 fund. ~~All moneys received pursuant to K.S.A. 12-5368 and 12-5374, and amendments thereto, for purposes of such fund shall be deposited into the state 911 fund.~~ All expenditures from the state 911 fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the state 911 board or the chairperson's designee.

- (b) The state 911 fund shall be used for direct distributions of moneys pursuant to K.S.A. 12-5374, and amendments thereto.
- (c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the state 911 fund interest earnings based on:
 - (1) The average daily balance of moneys in the state 911 fund for the preceding month; and
 - (2) the net earnings rate for the pooled money investment portfolio for the preceding month.
- (d) The state 911 fund shall be used for the purposes set forth in this act and for no other governmental purposes. Moneys in the state 911 fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.
- (e) On ~~January 12, 2026~~:
 - (1) ~~The LCPA state 911 board, or the entity that the board has contracted for services,~~ shall remit to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, the balance of all moneys in the 911 state fund established pursuant to K.S.A. 12-5368, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 fund.
 - (2) All liabilities of the 911 state fund are hereby transferred to and imposed on the state 911 fund.
 - (3) The 911 state fund established by the LCPA *outside the state treasury* pursuant to K.S.A. 12-5368, and amendments thereto, is hereby abolished.
 - (f) The provisions of this section shall take effect and be in force on and after ~~January 1, 2026~~ *July 1, 2025*.

Sec. 15. K.S.A. 12-5363, as amended by section 11 of chapter 53 of the 2024 Session Laws of Kansas, 12-5367, as amended by section 15 of chapter 53 of the 2024 Session Laws of Kansas, 12-5369, as amended by section 19 of chapter 53 of the 2024 Session Laws of Kansas, and 12-5370, as amended by section 20 of chapter 53 of the 2024 Session Laws of Kansas, and K.S.A. 2024 Supp. 12-5377, 12-5387, 12-5388, 12-5389 and 12-5390 are hereby repealed.

Sec. 16. On and after January 1, 2026, K.S.A. 12-5368, as amended by section 18 of chapter 53 of the 2024 Session Laws of Kansas, 12-5372, as amended by section 22 of chapter 53 of the 2024 Session Laws of Kansas, 12-5374, as amended by section 25 of chapter 53 of the 2024 Session Laws of Kansas, and 12-5375, as amended by section 28 of chapter 53 of the 2024 Session Laws of Kansas, are hereby repealed.

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

Sec. 17. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 053020

Index to Administrative Regulations

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the Kansas Register issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the Kansas Administrative Regulations can be found at http://www.sos.ks.gov/publications/pubs_kar.aspx.

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 Kansas Register. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 Kansas Register. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 Kansas Register. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 Kansas Register. A list of regulations filed from 2022 through 2023, can be found in the Vol. 42, No. 52, December 28, 2023 Kansas Register.

Reg. No.	Action	Register
111-2-331	New	Vol. 43, Issue 46
111-4-3547	Amended	Vol. 43, Issue 31
111-4-3771	New	Vol. 43, Issue 5
111-4-3772	New	Vol. 43, Issue 11
111-4-3773	New	Vol. 43, Issue 12
111-4-3774	New	Vol. 43, Issue 14
111-4-3775	New	Vol. 43, Issue 29
111-4-3776	New	Vol. 43, Issue 29
111-4-3777	New	Vol. 43, Issue 29
111-4-3778	New	Vol. 43, Issue 29
111-4-3779	New	Vol. 43, Issue 29
111-4-3780	New	Vol. 43, Issue 29
111-4-3781	New	Vol. 43, Issue 29
111-4-3782	New	Vol. 43, Issue 29
111-4-3783	New	Vol. 43, Issue 29
111-4-3784	New	Vol. 43, Issue 30
111-4-3785	New	Vol. 43, Issue 30
111-4-3786	New	Vol. 43, Issue 30
111-4-3787	New	Vol. 43, Issue 30
111-4-3788	New	Vol. 43, Issue 30
111-4-3789	New	Vol. 43, Issue 30
111-4-3790	New	Vol. 43, Issue 31
111-4-3791	New	Vol. 43, Issue 31
111-4-3792	New	Vol. 43, Issue 31

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

111-4-3793	New	Vol. 43, Issue 31
111-4-3794	New	Vol. 43, Issue 36
111-4-3795	New	Vol. 43, Issue 36
111-4-3796	New	Vol. 43, Issue 36
111-4-3797	New	Vol. 43, Issue 36
111-4-3798	New	Vol. 43, Issue 36
111-4-3799	New	Vol. 43, Issue 36
111-4-3800	New	Vol. 43, Issue 36
111-4-3801	New	Vol. 43, Issue 36
111-4-3802	New	Vol. 43, Issue 36
111-4-3803	New	Vol. 43, Issue 36
111-4-3804	New	Vol. 43, Issue 36
111-4-3805	New	Vol. 43, Issue 36
111-4-3806	New	Vol. 43, Issue 36
111-4-3807	New	Vol. 43, Issue 36
111-4-3808	New	Vol. 43, Issue 45
111-4-3809	New	Vol. 43, Issue 45
111-4-3810	New	Vol. 43, Issue 45
111-4-3811	New	Vol. 43, Issue 46
111-4-3812	New	Vol. 43, Issue 46
111-4-3813	New	Vol. 43, Issue 46
111-4-3814	New	Vol. 43, Issue 46
111-4-3815	New	Vol. 43, Issue 46
111-4-3816	New	Vol. 43, Issue 46
111-4-3817	New	Vol. 43, Issue 46
111-4-3818	New	Vol. 43, Issue 46
111-4-3819	New	Vol. 44, Issue 3
111-4-3820	New	Vol. 44, Issue 3
111-4-3821	New	Vol. 44, Issue 7
111-4-3822	New	Vol. 44, Issue 12
111-4-3823	New	Vol. 44, Issue 12
111-4-3824	New	Vol. 44, Issue 12
111-5-23	Amended	Vol. 43, Issue 46
111-5-24	Amended	Vol. 43, Issue 46
111-5-28	Amended	Vol. 43, Issue 46
111-5-30	Amended	Vol. 43, Issue 46
111-5-181	Amended	Vol. 44, Issue 3
111-5-182	Amended	Vol. 44, Issue 3
111-5-184	Amended	Vol. 44, Issue 3
111-5-185	Revoked	Vol. 44, Issue 3
111-9-233	New	Vol. 43, Issue 5
111-9-234	New	Vol. 43, Issue 14
111-9-235	New	Vol. 43, Issue 45
111-9-236	New	Vol. 43, Issue 45
111-9-237	New	Vol. 43, Issue 45
111-15-1	Amended	Vol. 43, Issue 31
111-15-3	Amended	Vol. 43, Issue 31
111-18-5	Amended	Vol. 43, Issue 12
111-19-169	New	Vol. 43, Issue 5
111-19-170	New	Vol. 43, Issue 12

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

111-19-171	New	Vol. 43, Issue 12
111-19-172	New	Vol. 43, Issue 12
111-19-173	New	Vol. 43, Issue 12
111-19-174	New	Vol. 43, Issue 14
111-19-175	New	Vol. 43, Issue 14
111-19-176	New	Vol. 43, Issue 14
111-19-177	New	Vol. 43, Issue 29
111-19-178	New	Vol. 43, Issue 29
111-19-179	New	Vol. 43, Issue 29
111-19-180	New	Vol. 43, Issue 29
111-19-181	New	Vol. 43, Issue 30
111-19-182	New	Vol. 43, Issue 30
111-19-183	New	Vol. 43, Issue 31
111-19-184	New	Vol. 43, Issue 36
111-19-185	New	Vol. 43, Issue 45
111-19-186	New	Vol. 43, Issue 45
111-19-187	New	Vol. 43, Issue 45
111-19-188	New	Vol. 43, Issue 45
111-19-189	Amended	Vol. 43, Issue 47
111-19-190	New	Vol. 43, Issue 45
111-19-191	New	Vol. 43, Issue 45
111-19-192	New	Vol. 43, Issue 46
111-19-193	New	Vol. 43, Issue 47
111-19-194	New	Vol. 43, Issue 47
111-19-195	New	Vol. 43, Issue 47
111-19-196	New	Vol. 44, Issue 3
111-19-197	New	Vol. 44, Issue 3
111-19-198	New	Vol. 44, Issue 3
111-19-199	New	Vol. 44, Issue 3
111-19-200	New	Vol. 44, Issue 7
111-19-201	New	Vol. 44, Issue 7
111-19-202	New	Vol. 44, Issue 12
111-19-203	New	Vol. 44, Issue 12
111-19-204	New	Vol. 44, Issue 12
111-20-1	New	Vol. 43, Issue 5
111-20-2	New	Vol. 43, Issue 5
111-20-3	New	Vol. 43, Issue 5
111-20-4	New	Vol. 43, Issue 5
111-20-5	New	Vol. 43, Issue 5
111-20-6	New	Vol. 43, Issue 5
111-20-7	New	Vol. 43, Issue 5
111-20-8	New	Vol. 43, Issue 5
111-20-9	New	Vol. 43, Issue 5
111-20-10	New	Vol. 43, Issue 5
111-20-11	New	Vol. 43, Issue 5
111-20-12	New	Vol. 43, Issue 5
111-20-13	New	Vol. 43, Issue 5
111-20-14	New	Vol. 43, Issue 5
111-20-15	New	Vol. 43, Issue 5
111-20-16	New	Vol. 43, Issue 5

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

111-20-17	New	Vol. 43, Issue 5
111-20-18	New	Vol. 43, Issue 5
111-20-19	New	Vol. 43, Issue 5
111-20-20	New	Vol. 43, Issue 5
111-20-21	New	Vol. 43, Issue 5
111-20-22	New	Vol. 43, Issue 5
111-20-23	New	Vol. 43, Issue 5
111-21-1	New	Vol. 43, Issue 11
111-21-2	New	Vol. 43, Issue 11
111-21-3	New	Vol. 43, Issue 11
111-21-4	New	Vol. 43, Issue 11
111-21-5	New	Vol. 43, Issue 11
111-21-6	New	Vol. 43, Issue 11
111-21-7	New	Vol. 43, Issue 11
111-21-8	New	Vol. 43, Issue 11
111-21-9	New	Vol. 43, Issue 11
111-21-10	New	Vol. 43, Issue 11
111-21-11	New	Vol. 43, Issue 45
111-21-12	New	Vol. 43, Issue 45
111-21-13	New	Vol. 43, Issue 45
111-21-14	New	Vol. 43, Issue 45
111-22-1	New	Vol. 43, Issue 36
111-22-2	New	Vol. 43, Issue 36
111-22-3	New	Vol. 43, Issue 36
111-22-4	New	Vol. 43, Issue 36
111-22-5	New	Vol. 43, Issue 36
111-22-6	New	Vol. 43, Issue 36
111-22-7	New	Vol. 43, Issue 36
111-22-8	New	Vol. 43, Issue 36
111-22-9	New	Vol. 43, Issue 36
111-22-10	New	Vol. 43, Issue 36
111-22-11	New	Vol. 43, Issue 36
111-22-12	New	Vol. 43, Issue 36
111-22-13	New	Vol. 43, Issue 36
111-23-1	New	Vol. 43, Issue 36
111-23-2	New	Vol. 43, Issue 36
111-23-3	New	Vol. 43, Issue 36
111-23-4	New	Vol. 43, Issue 36
111-23-5	New	Vol. 43, Issue 45
111-23-6	New	Vol. 43, Issue 45
111-23-7	New	Vol. 43, Issue 45
111-23-8	New	Vol. 43, Issue 45
111-23-9	New	Vol. 44, Issue 4
111-23-10	New	Vol. 44, Issue 4
111-23-11	New	Vol. 44, Issue 7
111-23-12	New	Vol. 44, Issue 7
111-23-13	New	Vol. 44, Issue 7
111-23-14	New	Vol. 44, Issue 12
111-23-15	New	Vol. 44, Issue 12
111-301-4	Amended	Vol. 43, Issue 45

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

111-301-5	Amended	Vol. 43, Issue 45
111-301-41	Amended	Vol. 44, Issue 4
111-301-43	Amended	Vol. 44, Issue 4
111-313-1	New	Vol. 43, Issue 47
111-313-2	New	Vol. 43, Issue 47
111-313-3	New	Vol. 43, Issue 47
111-313-4	New	Vol. 43, Issue 47
111-313-5	New	Vol. 43, Issue 47
111-313-6	New	Vol. 43, Issue 47
111-501-68	Amended	Vol. 43, Issue 45
111-401-35	Amended	Vol. 44, Issue 4
111-501-44	Amended	Vol. 44, Issue 4
111-501-113	Amended	Vol. 43, Issue 11
111-501-120	Amended	Vol. 43, Issue 45
111-501-147	Amended	Vol. 44, Issue 12
111-501-155	Amended	Vol. 43, Issue 11
111-501-161	New	Vol. 43, Issue 30

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	Vol. 42, Issue 44
112-201-2	New (T)	Vol. 42, Issue 44
112-201-3	New (T)	Vol. 42, Issue 44
112-201-4	New (T)	Vol. 42, Issue 44
112-201-5	New (T)	Vol. 42, Issue 44
112-201-6	New (T)	Vol. 42, Issue 44
112-201-7	New (T)	Vol. 42, Issue 44
112-201-8	New (T)	Vol. 42, Issue 44
112-201-9	New (T)	Vol. 42, Issue 44
112-201-10	New (T)	Vol. 42, Issue 44
112-201-11	New (T)	Vol. 42, Issue 44
112-201-12	New (T)	Vol. 42, Issue 44
112-201-13	New (T)	Vol. 42, Issue 44
112-201-14	New (T)	Vol. 42, Issue 44
112-201-15	New (T)	Vol. 42, Issue 44
112-201-16	New (T)	Vol. 42, Issue 44
112-201-17	New (T)	Vol. 42, Issue 44
112-201-18	New (T)	Vol. 42, Issue 44
112-201-19	New (T)	Vol. 42, Issue 44
112-201-20	New (T)	Vol. 42, Issue 44
112-201-21	New (T)	Vol. 42, Issue 44
112-201-22	New (T)	Vol. 42, Issue 44
112-201-23	New (T)	Vol. 42, Issue 44
112-202-1	New (T)	Vol. 42, Issue 44
112-202-2	New (T)	Vol. 42, Issue 44
112-203-1	New (T)	Vol. 42, Issue 44
112-203-2	New (T)	Vol. 42, Issue 44
112-203-3	New (T)	Vol. 42, Issue 44
112-203-4	New (T)	Vol. 42, Issue 44

Kansas Register

Volume 44 - Issue 15 - April 10, 2025

[Table of Contents](#)

112-203-5	New (T)	Vol. 42, Issue 44
112-203-6	New (T)	Vol. 42, Issue 44
112-203-7	New (T)	Vol. 42, Issue 44
112-203-8	New (T)	Vol. 42, Issue 44
112-204-1	New (T)	Vol. 42, Issue 44
112-204-2	New (T)	Vol. 42, Issue 44
112-204-3	New (T)	Vol. 42, Issue 44
112-204-4	New (T)	Vol. 42, Issue 44
112-204-5	New (T)	Vol. 42, Issue 44
112-204-6	New (T)	Vol. 42, Issue 44
112-204-7	New (T)	Vol. 42, Issue 44

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