

Kansas Register

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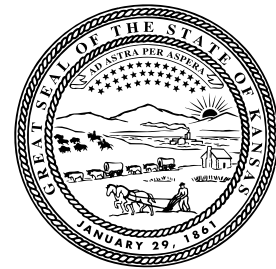
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Photo by Todd Caywood

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State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 4-11-22 through 4-17-22

Term	Rate
1-89 days	0.33%
3 months	0.72%
6 months	1.20%
12 months	1.87%
18 months	2.30%
2 years	2.52%

Scott Miller
 Director of Investments

Doc. No. 050013

State of Kansas

Department for Children and Families

Request for Comments

The Kansas Department for Children and Families (DCF) will accept public comments on the State Fiscal 2023

Social Services Block Grant. A copy of the plan, paper or electronic, may be obtained by contacting Kim Holter by telephone at 785-368-8109, by email at Kimberly.Holter@ks.gov, or under the Quick Links, Newsroom section of the DCF website at <http://www.dcf.ks.gov/Newsroom/Pages/default.aspx>. Comments must be submitted in writing and received by DCF by May 13, 2022.

Laura Howard
 Secretary

Doc. No. 049995

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 \$8,743,272.68 in the Underground Petroleum Storage Tank Release Trust Fund and \$2,545,486.01 in the Aboveground Petroleum Storage Tank Release Trust Fund at March 31, 2022.

Jocelyn Gunter, Director
 Office of Accounts and Reports

Doc. No. 050017

State of Kansas

Kansas Historical Society**Notice of Meeting**

The Kansas State Historical Society will accept public comments regarding the 2022 round of Historic Preservation Fund grants at 9:00 a.m. Friday, May 13, 2022. Grant applicants and members of the public are welcome to comment about particular grant applications or the program in general to the grant review committee at that time. The public meeting will be held via Zoom hosted by the Kansas Historical Society in Topeka, Kansas. The link will be posted on our website 14 days before the meeting at <http://www.kshs.org/14615>.

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

Jennie Chinn
Executive Director

Doc. No. 050015

State of Kansas

Kansas Historic Sites Board of Review**Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday May 14, 2022, via Zoom hosted by the Kansas Historical Society in Topeka, Kansas. We invite you to attend the meeting virtually or by phone. The link will be posted on our website 14 days before the meeting at <https://www.kshs.org/14633>.

The Board will consider the following items:

- Historic Preservation Fund grant report
- Approval of Minutes from February 26, 2022 meeting
- Consideration of National Register Nominations
 - Great Bend Historic District – Great Bend, Barton County
 - William and Minnie Liggett Residence – Herington, Dickinson County
 - Chestnut Street Historic District Expansion – Hays, Ellis County
 - Sawyer City Jail – Sawyer, Pratt County
 - Paxico Rural High School – Paxico, Wabaunsee County
- Consideration of State Register Nominations
 - Frank and Anna Felceman Homestead – Sylvan Grove, Lincoln County
 - Grace Bedell House – Delphos, Ottawa County
 - Genn Hospital – Wamego, Pottawatomie County

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other impairment and wish to participate in this meeting, please contact the Cultural Resources Division of the Kansas State Historical

Society, 6425 SW 6th Ave., Topeka, KS 66615-1099 or by telephone at 785-272-8681 ext., 240, at least two weeks prior to the meeting to discuss how we can ensure your participation.

Jennie Chinn
Executive Director

Doc. No. 050014

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/sokfspdsc/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

04/25/2022	EVT0008533	Pavement Marking Paint – KDOT
05/12/2022	EVT0008536	Zebra Printers and Supplies

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

https://supplier.sok.ks.gov/psc/sokfspdsc/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>

04/28/2022	A-014491/TMA-2358	OFPM; LSOB Generator Upgrades and Generator Building Heating System Upgrades
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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>.

Richard Beattie, Director
Office of Procurement and Contracts

Doc. No. 050027

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

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

Kansas State University – Bid postings: <https://dfs.ksucloud.net/rfq>. All bids must be submitted via Kansas State University’s Vendor Bid Submission Secure File Upload portal, <https://www.k-state.edu/finsvcs/purchasing/bidsubmission.html>. Additional contact information: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

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

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu>. Due to Covid-19, the University of Kansas will not be accepting paper bids until further notice. Additional contact information: phone: 785-864-5800, email: purchasing@ku.edu.

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

Wichita State University – Bid postings: <http://www.wichita.edu/purchasing>. Additional contact 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.

Kathy Herrman
Chair of Regents Purchasing Group
Purchasing Director
Fort Hays State University

Doc. No. 049784

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

Notice of Requested “On-Call” Architectural Services

Notice is hereby given of the commencement of the selection process for “on-call” architectural services for Kansas State University. Services are required for restrict-

ed (small) projects with a project budget of \$1,000,000 or less. Multiple firms will be selected. The contracts will be for three years.

For more information, contact Rosanna Carvalho at rcarvalho@ksu.edu, phone 785-532-1732. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B–Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, please call 785-296-0749. Proposals shall be emailed to professional.qualifications@ks.gov to the attention of Randy Riveland by 2:00 p.m. on or before April 29, 2022.

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

Frank Burnam, Director
Office of Facilities and Property Management
Doc. No. 050023

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

Notice of Requested “On-Call” Fire Protection Engineering Services

Notice is hereby given of the commencement of the selection process for “on-call” fire protection engineering services for Kansas State University. Services are required for restricted (small) projects with a project budget of \$1,000,000 or less. One or more firms will be selected. The contracts will be for three years.

For more information, contact Rosanna Carvalho at rcarvalho@ksu.edu, phone 785-532-1732. Firms interested in providing these services should be familiar with
(continued)

the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/forms-and-documents>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2:00 p.m. on or before April 29, 2022.

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

Frank Burnam, Director

Office of Facilities and Property Management

Doc. No. 050022

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Bunge North America, 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.

Bunge North America, Inc., 701 E. 6th Ave., Emporia, KS 66801, owns and operates soybean processing plant located at 701 E. 6th Ave., Emporia, Lyon County, KS 66801.

A copy of the proposed permit, permit application, all supporting documentation, and all information re-

lied 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 Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Rumela Bhadra, 785-291-3271, at the central office of the KDHE or Doug Cole, 620-860-7235, at the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Rumela Bhadra, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, May 16, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Rumela Bhadra, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, May 16, 2022, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek
Secretary

Doc. No. 050020

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Construction Permit Modification

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a revision to a previously issued air quality

construction permit modification. Evergy, Inc. – Emporia Energy Center (Evergy) applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to add alternative NO_x monitoring methods at their fossil fuel power generation stations located 1685 Road 200, Emporia, Lyon County, KS 66801.

The permit modification is to be issued in accordance with the provisions of K.A.R. 28-19-350, Prevention of Significant Deterioration (PSD) which adopt the federal standards, procedures, and requirements of 40 CFR 52.21 by reference. These air quality regulations apply to major stationary emission sources located in areas designated as “attainment” under the federal Clean Air Act (CAA). Attainment areas are areas where the air quality meets or is better than the national ambient air quality standards (NAAQS).

The PSD regulations require evaluation of emission reduction techniques to identify the best available control technology (BACT) for each regulated pollutant, including GHG, for which the emission rate exceeds the PSD significant level. There is no change in emissions from modifying the PSD construction permit, thus a new BACT analysis was not necessary. Since modifying the PSD construction permit will not exceed the PSD significance level, the project will have no significant impact on the ambient air quality.

No assessment of visibility impacts at a Class I Area was performed by the facility because there are no Federal Class I areas located within 300 km of the proposed facility. The facility did not conduct a visibility impact analysis for a local Class I area because the proposed modification does not exceed the PSD significance level and is not expected to impact visibility.

A public comment period has been established to allow citizens the opportunity to express any concerns they may have about the modified conditions proposed in this permitting action. The public comment period is to begin on April 14, 2022 and end on May 16, 2022. All comments related to the modified conditions should be submitted in writing to Rumela Bhadra, KDHE/Bureau of Air, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 or presented at the public hearing.

Any member of the public may request to hold a public hearing to receive comments on the proposed issuance of the draft air quality construction permit. Written request to hold a public hearing should be sent to the attention of Rumela Bhadra, KDHE/Bureau of Air, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 or by fax to 785-559-4256 and must be received by 12:00 p.m. May 16, 2022.

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 for a period of 30 days from the date of publication during normal business hours (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. Also, a copy of the proposed permit only can be reviewed, at the KDHE Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Rumela Bhadra, 785-291-3271, at the central office of the KDHE and to review the proposed permit only, contact

Doug Cole, 620-431-2390, at the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Janet Stanek
Secretary

Doc. No. 050019

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a 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.

Public Notice No. KS-AG-22-090/097

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
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Fisher Cattle Company - Beaver Creek Feedlot 18499 Road 3 McDonald, KS 67745	S/2 of Section 33 T03S, R36W Rawlins County	Upper Republican River Basin
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Kansas Permit No. A-URRA-C001
Federal Permit No. KS0087726

The proposed action is to modify the current NPDES permit and Nutrient Management Plan (NMP) for an existing facility for 7,500 head (7,500 animal units) of cattle weighing greater than 700 pounds. The proposed modification is to add composting as a method of mortality management. There are no other changes to the permit or NMP. Only the portions of the permit and NMP being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Sandy Road Farms, LLC - 9 South, 9 North and Genetic Complex 23179 #5 Rd. Plains, KS 67869	NE/4 of Section 35 T33S, R30W Meade County	Cimarron River Basin
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(continued)

Kansas Permit No. A-CIME-H006
Federal Permit No. KS0099643

The proposed action is to reissue an existing NPDES permit for an existing facility for 5,790 head (2,316 animal units) of swine weighing greater than 55 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
Pratt Feeders, Inc. dba Ashland Feeders Mick Sharp 2590 CR L Ashland, KS 67831	N/2 & SE/4 of Section 25 T31S, R22W & NW/4 of Section 30 T31S, R21W Clark County	Cimarron River Basin

Kansas Permit No. A-CICA-C001
Federal Permit No. KS0047104

The proposed action is to reissue an existing state permit for an existing facility for 17,500 head (17,500 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
Seaboard Foods, LLC - Shore #2 02005 Blvd. DD Rolla, KS 67954	NW/4 of Section 05 T31S, R40W Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-S002

The proposed action is to reissue an existing state permit for an existing facility for 675 head (270 animal units) of swine more than 55 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
Seaboard Foods, LLC - Beachner Boar #67 01350 Road 5 Elkhart, KS 67950	SW/4 of Section 14 T33S, R43W Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-S007

The proposed action is to reissue an existing state permit for an existing facility for 460 head (184 animal units) of swine more than 55 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
LEI Valley View, LLC Bruce Livingston 747 28th Rd. Mahaska, KS 66955	SW/4 of Section 07 T01S, R02E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S064

The proposed action is to reissue an existing state permit for an existing facility for 2,490 head (996 animal units) of swine more than 55 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
Benedict Streit 218 W. 180th Dr. Tipton, KS 67485	SW/4 of Section 34 T08S, R11W Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-B005

The proposed action is to reissue an existing state permit for an existing facility for 300 head (300 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
Bott Cattle Co., Inc. 1663 1st Rd. Palmer, KS 66962	NE/4 of Section 34 & SE/4 of Section 27 T05S, R03E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-C001
Federal Permit No. KS0117200

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 4,999 head (4,999 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include the addition of two new land application fields and application rate limitation changes to existing fields. The fields' application rate limitations for five 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-22-027/033

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
Burden, City of PO Box 37 Burden, KS 67019	Silver Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR14-OO02
Federal Permit No. KS0088455

Legal Description: NW¼, S34, T31S, R6E, Cowley County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, dissolved oxygen, and E.coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cornejo & Sons, LLC 2060 E. Tulsa St. Wichita, KS 67216	Verdigris River via Pumpkin Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-VE09-PO06
Federal Permit No. KS0082171

Legal Description: NE¼, S34, T34S, R17E, Montgomery County, Kansas

Facility Name: Coffeyville Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001A consists of stormwater runoff from processing and stockpile areas, and Outfall 002A consists of pit water and stormwater runoff, which is pumped from two settling basins, before being discharged. The proposed permit contains generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cornejo & Sons, LLC 2060 E. Tulsa St. Wichita, KS 67216	Verdigris River via Fall River via Salt Creek via Severy City Lake via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-VE34-PO01
Federal Permit No. KS0090263

Legal Description: E½ of S10, N½ of S11 and 14,T28S, R11E,
Greenwood County, Kansas and N½ and SE¼ of S22 and 23, T28S,
R11E, Elk County, Kansas

Facility Name: Severy/Blake Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation. Which occasionally washes rock. However, all wash water is treated by a large on-site sedimentation pond and is recycled, so no discharge of wash water occurs. Outfalls 001A, 002A, 003A and 004A consist of pit water and storm water runoff. The proposed permit contains generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Aranya, LLC and Cardinal Parks, LLC 433 Upper Terrace #1 San Francisco, CA 94117	Arkansas River via Spring Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. C-AR94-OO07
Federal Permit No. KS0093823

Legal Description: NE¼, SW¼, SW¼, S16, T28S, R2E, Sedgwick County, Kansas

Facility Name: Long Branch MHC Wastewater Treatment Facility

Facility Address: 9600 E. 47th St. S., Derby, KS 67037

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a two-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, and E. coli, as well as monitoring for pH, chlorides, and total phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Louisburg, City of 5 S. Peoria St. Louisburg, KS 66053	South Wea Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-MC20-OO03
Federal Permit No. KS0101176

Legal Description: SW¼, S6, T17S, R25E, Miami County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a mechanical wastewater treatment plant consisting of an influent pump station, headworks including center flow fine screen and headcell grit removal, two BNR oxidation ditches including anaerobic zone, anoxic zone and aeration basin, final clarifiers (with density current baffle and launder covers), chemical feed system, UV disinfection, cascade re-aeration, non-potable water system, and sludge storage. This facility also includes two separate two-cell extraneous flow basins (north and south) with dedicated extraneous flow pump stations. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, dissolved oxygen, and pH, as well as monitoring for nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus, and flow to stream.

Name and Address of Applicant	Receiving Stream	Type of Discharge
St. Francis, City of PO Box 517 St. Francis, KS 67756	South Fork Republican River	Treated Domestic Wastewater

Kansas Permit No. M-UR18-OO01
Federal Permit No. KS0031089

Legal Description: NW¼, NW¼, NW¼, S23, T3S, R40W, Cheyenne County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable condition (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The ammonia effluent limit was determined on 9/16/2021 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 3.8 mg/L for this facility. The EED was completed on 3/1/2022. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, E. coli, fluoride, and arsenic.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Walton, City of PO Box 200 Walton, KS 67151	Sand Creek via Beaver Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-LA17-OO01
Federal Permit No. KS0026140

Legal Description: NE¼, NW¼, SW¼, S19, T22S, R2E, Harvey County, Kansas

Facility Address: 6500 N. Woodlawn, Walton, KS 67151

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, totals suspended solids, ammonia, and E. coli, as well as monitoring for pH, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and total phosphorus.

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 14, 2022, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-22-090/097, KS-Q-22-027/033) 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 Paige Drury, 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 Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

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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 Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-3056 or email at Christopher.Zwiener@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

Doc. No. 050026

State of Kansas

Department for Aging and Disability Services and Department of Health and Environment Division of Health Care Finance

Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2023; 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 2023, 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, 2022.

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, 2022. 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:

Secretary of Aging and Disability Services
New England Building, Second Floor
503 S. Kansas Ave.
Topeka, KS 66603-3404
Fax: 785-296-0767

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 proper-

ty 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 2019, 2020, and 2021.

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, 2022. 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, 2022. This adjustment will be based on the IHS Global Insight, National Skilled Nursing Facility Market Basket Without Capital Index (IHS Index). The IHS 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, 2022. 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 2019-2021. 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.

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All data used to set rates for facilities recognized as a change-of-provider shall be adjusted to December 31, 2022. This adjustment will be based on the IHS Index. The IHS 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, 2022. 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, 2022. This adjustment will be based on the IHS Index. The IHS 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, 2022. 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.

The Resource Utilization Groups-III (RUG-III) Version 5.20, 34 group, index maximizer model is used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. Standard Version 5.20 (Set D01) case mix indices developed by the Centers for Medicare and Medicaid Services (CMS) 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 RUG-III 34 group calculated on the resident’s most current assessment available on the first day of each calendar quarter. This RUG-III group shall be translated to the appropriate CMI. From the individual resident case mix indices, three average case mix indices for each Medicaid nursing facility shall

be determined 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.

<u>Rate Effective Date</u>	<u>Cut-Off Dates for Quarterly CMI</u>
July 1	January 1 and April 1
January 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, 2022. The inflation will be based on the IHS Global Insight, CMS Nursing Home without Capital Market Basket index.

The IHS Global Insight, 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 2021 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

(continued)

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, 2022.

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, 2022. This will bring the costs reported by the providers to a common point in time for comparisons. The inflation will be based on the IHS Global Insight, 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.

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 \$80 and the upper payment limit is based on 130% of the median, then the upper payment limit for the statewide average CMI would be \$104 ($D=130\% \times \80).

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 \$80.00, the Direct Health Care per diem limit is \$104.00, 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 \$80.00, 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 Allow-

able Direct Health Care Cost. In this case that would result in \$72.00 (0.9000/1.0000 x \$80.00). 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 \$88.00 (1.1000/1.0000 x \$80.00). 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 ≥ 75th percentile (5.57), or CMI adjusted staffing < 75th percentile but improved ≥ 10%	\$3.00 \$0.50
Staff retention rate ≥ 75th percentile, 69% Contracted labor < 10% of total direct health care labor costs or Staff retention rate < 75th percentile but increased ≥ 10% Contracted labor < 10% of total direct health care labor costs	\$2.50 \$0.50
Medicaid occupancy ≥ 65%	\$0.75
Quality Measures ≥ 75th percentile (550)	\$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 six 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 three levels (Level 0 – Level 2) are intended to encourage quality improvement for homes that have not yet met the minimum competency requirements for a person-centered care home. Homes can earn the Level 1 and Level 2 incentives simultaneously as they progress toward the minimum competency level.

Level 3 recognizes those homes that have attained a minimum level of core competency in person-centered care. Level 4 and Level 5 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.

(continued)

Level and Per Diem Incentive	Summary of Required Nursing Home Action	Incentive Duration
Level 0 The Foundation \$0.50	Home completes the KCCI evaluation tool according to the application instructions. Home participates in all required activities noted in "The Foundation" timeline and workbook. Homes that do not complete the requirements will be dropped until they enroll to participate in the next fiscal year.	Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year, contingent upon participation.
Level 1 Pursuit of Culture Change \$0.50	Homes should submit the KCCI evaluation tool (annually). Home submits an action plan addressing 4 PEAK 2.0 cores in Domains 1-4. The home self-reports progress on the action planned cores via phone conference with the PEAK team. The home may be selected for a random site visit. The home must participate in the random site visit, if selected, to continue incentive payment. Homes should demonstrate successful completion of 75% of core competencies selected. A home can apply for Levels 1 & 2 in the same year. Homes that do not achieve Level 2 with three consecutive years of participation at Level 1 may return to a Level 0 or sit out for two years depending on KDADS and KSU's recommendation.	Available beginning July 1 of enrollment year. Incentive granted for one full fiscal year.
Level 2 Culture Change Achievement \$1.00	This is a bridge level to acknowledge achievement in Level 1. Homes may receive this level at the same time they are working on other PEAK core areas at Level 1. Homes may receive this incentive for up to 3 years. If Level 3 is not achieved at the end of the third year, homes may start back at Level 0 or 1 depending on KDADS and KSU's recommendation.	Available beginning July 1 following confirmed completion of action plan goals. Incentive is granted for one full fiscal year.
Level 3 Person-Centered Care Home \$2.00	Demonstrates minimum competency as a person-centered care home (see KDADS full criteria). This is confirmed through a combination of the following: Demonstration of success in other levels of the program. Performing successfully on a Level 2 screening call with the KSU PEAK 2.0 team. Passing a full site visit.	Available beginning July 1 following confirmed minimum competency as a person-centered care home. Incentive is granted for one full fiscal year. Renewable bi-annually.

Level 4 Sustained Person-Centered Care Home \$2.50	Homes earn person-centered care home award two consecutive years.	Available beginning July 1 following confirmation of the upkeep of minimum person-centered care competencies. Incentive is granted for two fiscal years. Renewable bi-annually.
Level 5 Person-Centered Care Mentor Home \$3.00	Homes earn sustained person-centered care home award and successfully engage in mentoring activities suggested by KDADS (see KDADS mentoring activities). Mentoring activities should be documented.	Available beginning July 1 following confirmation of mentor home standards. Incentive is granted for two fiscal years. Renewable bi-annually.

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 3.32, which is 120% of the statewide NFMH median of 2.77. They will receive one point if the ratio is less than 120% of the NFMH median but greater than or equal to 3.05, 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 \$27.03, or 90% of the statewide median of \$30.03.

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 58%, the 75th percentile statewide, will earn two points as long as con-

tracted 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 58% but equal to or below 79%, 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 86%, the 75th percentile statewide will earn two points. Providers with staff retention rates below 86% but at or above 69%, 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 ≥ 120% (3.32) of NF-MH median (2.77), or	2, or
CMI adjusted staffing ratio between 110% (3.05) and 120%	1
Total occupancy ≤ 90%	1
Operating expenses < \$27.03, 90% of NF-MH median, \$30.03	1
Staff turnover rate ≤ 75th percentile, 58%	2, or
Staff turnover rate ≤ 50th percentile, 79%	1
Contracted labor < 10% of total direct health care labor costs	
Staff retention ≥ 75th percentile, 86%	2, or
Staff retention ≥ 50th percentile, 69%	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.

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, 2022.

Cost Center	Limit Formula	Per Day Limit
Operating	110% of the Median Cost	\$47.93
Indirect Health Care	115% of the Median Cost	\$63.30
Direct Health Care	130% of the Median Cost	\$163.07
Real and Personal Property Fee	105% of the Median Fee	\$10.25

These amounts were determined according to the “Reimbursement Limitations” section. The Direct Health-care Limit is calculated based on a CMI of 1.0704, 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 date of January 1, 2022 and April 1, 2022. The CMI calculations use the July 1, 2014, Kansas Medicaid/Medikan CMI Table. 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.

Facility Name	City	Daily Medicaid Rate	CMI
Village Manor	Abilene	269.01	0.8725
Life Care Center of Andover	Andover	196.64	1.0680
Victoria Falls SNF	Andover	289.88	1.0480
Anthony Community Care Center	Anthony	210.69	0.8631
Medicalodges Health Care Ctr Arkansas	Arkansas City	246.48	0.9845
Arkansas City Presbyterian Manor	Arkansas City	252.03	1.0753
Arma Operator, LLC	Arma	252.03	1.3424
Medicalodges Atchison	Atchison	234.11	0.9572
Atchison Senior Village	Atchison	284.31	1.0807
Dooley Center	Atchison	268.51	0.8231
Attica Long Term Care	Attica	257.01	0.8753
Good Samaritan Society-Atwood	Atwood	231.39	1.0468

(continued)

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Lake Point Nursing Center	Augusta	212.75	1.0753	The Nicol Home, Inc.	Glasco	215.29	0.9714
Baldwin Healthcare & Rehab Center	Baldwin City	231.16	1.3249	Medicalodges Goddard	Goddard	234.56	1.0968
Quaker Hill Manor	Baxter Springs	258.61	1.0221	Bethesda Home	Goessel	265.45	0.9074
Catholic Care Center Inc.	Bel Aire	269.83	1.0635	Topside Manor, Inc	Goodland	220.87	0.9833
Mitchell County Hospital LTCU	Beloit	256.82	0.9047	Medicalodges Great Bend	Great Bend	220.35	0.9365
Hilltop Lodge Health and Rehab	Beloit	245.59	1.2512	Azria Health Great Bend	Great Bend	215.85	1.0907
Bonner Springs Nursing & Rehab Ctr	Bonner Springs	213.95	1.0823	Haviland Operator, LLC	Haviland	252.44	0.6852
Hill Top House	Bucklin	257.83	0.9500	Good Samaritan Society-Hays	Hays	220.16	0.9773
Buhler Sunshine Home, Inc.	Buhler	213.93	0.9377	Ascension Living Via Christi Village	Hays	241.32	0.9565
Life Care Center of Burlington	Burlington	203.74	1.0753	Diversicare of Haysville	Haysville	204.88	1.2365
Eastridge Nursing Home	Centralia	221.09	0.9880	Legacy at Herington	Herington	235.83	0.9882
Heritage Health Care Center	Chanute	184.06	0.9451	Schowalter Villa	Hesston	276.16	0.9988
Diversicare of Chanute	Chanute	258.43	1.2146	Maple Heights Nursing and Rehab Ctr	Hiawatha	206.89	0.9653
Chapman Valley Manor	Chapman	219.99	0.9113	Highland Healthcare and Rehab Center	Highland	217.22	1.1640
Cheney Golden Age Home Inc.	Cheney	230.73	1.0523	Dawson Place, Inc.	Hill City	298.06	1.0006
Cherryvale Care Center	Cherryvale	253.78	1.0828	Salem Home	Hillsboro	230.69	0.9798
The Shepherd's Center	Cimarron	239.95	0.8357	Parkside Homes, Inc.	Hillsboro	262.88	0.9530
Advena Living of Clay Center	Clay Center	231.80	0.9167	Medicalodges Jackson County	Holton	214.64	1.0438
Clay Center Presbyterian Manor	Clay Center	250.10	0.8541	Mission Village Living Center	Horton	167.50	0.9803
Clearwater Nursing and Rehab	Clearwater	238.90	0.9498	Sheridan County Hospital	Hoxie	270.10	1.0005
Park Villa Nursing Home	Clyde	220.10	0.9921	Pioneer Manor	Hugoton	253.48	0.8223
Windsor Place	Coffeyville	234.13	1.0999	Diversicare of Hutchinson	Hutchinson	224.20	1.1409
Medicalodges Coffeyville	Coffeyville	228.41	0.8847	Good Sam Society-Hutchinson Village	Hutchinson	245.86	0.9560
Windsor Place at Iola, LLC	Coffeyville	217.12	0.9529	Hutchinson Operator, LLC	Hutchinson	253.61	1.3488
Colby Operator, LLC	Colby	286.73	1.2224	Wesley Towers	Hutchinson	108.72	1.0015
Prairie Senior Living Complex	Colby	195.47	0.9645	Medicalodges Independence	Independence	219.19	1.0222
Pioneer Lodge	Coldwater	287.67	0.8388	Montgomery Place Nursing Center, LLC	Independence	215.52	0.9854
Medicalodges Columbus	Columbus	254.34	1.1024	Pleasant View Home	Inman	223.00	0.9247
Mt Joseph Senior Village, LLC	Concordia	209.32	0.9320	Stanton County Hospital- LTCU	Johnson	267.53	0.9367
Sunset Home, Inc.	Concordia	177.26	0.9053	Valley View Senior Life	Junction City	233.33	1.0043
Spring Manor Healthcare & Rehab	Conway Springs	251.82	1.2555	Medicalodges Post Acute Care Center	Kansas City	221.83	0.9423
Chase County Care and Rehab	Cottonwood Falls	115.93	1.0408	Riverbend Post Acute Rehabilitation	Kansas City	243.57	1.3021
Diversicare of Council Grove	Council Grove	201.12	1.0010	Lifecare Center of Kansas City	Kansas City	255.12	0.8816
Hilltop Manor Nursing Center	Cunningham	206.96	1.0525	Providence Place LTCU	Kansas City	253.18	1.0619
Westview of Derby Rehab & Health	Derby	182.39	0.9621	Ignite Medical Resort	Kansas City	237.27	1.2147
Derby Health and Rehabilitation	Derby	291.66	1.0704	The Healthcare Resort of Kansas City	Kansas City	285.45	1.3484
Hillside Village	DeSoto	220.28	0.9600	The Wheatlands	Kingman	184.66	0.9836
Trinity Manor	Dodge City	224.88	1.0256	Medicalodges Kinsley	Kinsley	256.01	1.1129
Sunporch of Dodge City	Dodge City	227.42	0.8505	Kiowa District Manor	Kiowa	249.12	0.8863
Manor of the Plains	Dodge City	225.76	0.9977	Locust Grove Village	Lacrosse	203.21	0.8703
Downs Care and Rehab	Downs	237.05	1.2096	High Plains Retirement Village	Lakin	206.18	0.9342
Anew Healthcare Easton	Easton	200.47	1.1554	Lansing Care and Rehab	Lansing	154.22	1.1734
Parkway Care and Rehab	Edwardsville	192.11	1.2825	Diversicare of Larned	Larned	263.09	0.9340
Kaw River Care and Rehab	Edwardsville	174.94	1.1685	Lawrence Presbyterian Manor	Lawrence	274.58	1.0079
Edwardsville Care and Rehab	Edwardsville	261.40	0.7952	Medicalodges Leavenworth	Leavenworth	235.80	1.0258
Lakepoint Nursing Center-El Dorado	El Dorado	209.53	1.0751	The Healthcare Resort of Leawood	Leawood	292.99	1.2927
El Dorado Care and Rehab	El Dorado	195.44	1.1468	Delmar Gardens of Lenexa	Lenexa	198.13	1.0141
Good Samaritan Society-Ellis	Ellis	276.39	0.9541	Lakeview Village	Lenexa	243.29	1.0896
Good Sam Society-Ellsworth Village	Ellsworth	219.58	1.0185	Westchester Village of Lenexa	Lenexa	257.49	0.9174
Emporia Presbyterian Manor	Emporia	250.66	1.0065	Leonardville Nursing Home	Leonardville	238.13	0.9907
Holiday Resort	Emporia	225.00	1.0623	Wichita County Health Center	Leoti	278.00	1.0400
Flint Hills Care and Rehab Center	Emporia	201.01	1.1205	Good Samaritan Society-Liberal	Liberal	242.01	1.1075
Enterprise Estates Nursing Center, I	Enterprise	193.90	0.9520	Wheatridge Park Care Center	Liberal	233.24	1.1545
Eskridge Care and Rehab	Eskridge	239.56	0.9863	Lincoln Park Manor, Inc.	Lincoln	209.37	0.8575
Medicalodges Eudora	Eudora	210.86	0.9604	Bethany Home Association	Lindsborg	262.49	0.9939
Eureka Nursing Center	Eureka	244.97	0.9813	Linn Community Nursing Home	Linn	229.90	1.0828
Kansas Soldiers' Home	Fort Dodge	266.54	0.9936	Sandstone Heights Nursing Home	Little River	251.30	0.9693
Medicalodges Fort Scott	Fort Scott	222.78	1.0600	Logan Manor Community Health Service	Logan	215.30	0.9333
Fowler Residential Care	Fowler	241.93	0.7572	Louisburg Healthcare and Rehab Center	Louisburg	243.74	1.1905
Frankfort Community Care Home, Inc.	Frankfort	240.88	0.9161	Meadowlark Hills Retirement Community	Manhattan	258.87	0.9620
Medicalodges Frontenac	Frontenac	196.41	0.9398	Ascension Living Via Christi Village	Manhattan	292.36	0.9928
Galena Nursing Home	Galena	209.07	1.0852	St. Luke Living Center	Marion	214.68	0.8740
Garden Valley Retirement Village	Garden City	195.50	1.1032	Riverview Estates, Inc.	Marquette	221.12	0.8734
Recover Care Meadowbrook Rehab, LLC	Gardner	336.21	1.4250	Cambridge Place	Marysville	204.64	0.9972
Medicalodges Gardner	Gardner	162.46	0.9227	McPherson Operator, LLC	McPherson	265.39	1.2371
Anderson County Hospital	Garnett	267.46	0.8911	The Cedars, Inc.	McPherson	263.13	0.9923
Parkview Heights	Garnett	190.75	0.9850	Meade District Hospital, LTCU	Meade	238.00	0.8436
Medicalodges Girard	Girard	248.41	1.0867	Merriam Gardens Healthcare & Rehab	Merriam	268.24	1.2947

Facility Name	City	Daily Rate	Medicaid CMI	Facility Name	City	Daily Rate	Medicaid CMI
Minneapolis Healthcare and Rehab	Minneapolis	186.88	1.0749	Wheatland Nursing & Rehab Center	Russell	169.19	0.9522
Minneola District Hospital-LTCU	Minneola	264.16	0.9223	Russell Regional Hospital	Russell	258.50	0.9365
Bethel Home, Inc.	Montezuma	237.31	0.9259	Sabetha Nursing Center	Sabetha	201.13	0.8947
Moran Manor	Moran	222.90	0.9708	Apostolic Christian Home	Sabetha	267.30	0.9218
Pine Village	Moundridge	255.60	1.0216	Smoky Hill Rehabilitation Center	Salina	182.93	0.9830
Moundridge Manor, Inc.	Moundridge	238.15	0.8572	Kenwood View Health and Rehab Center	Salina	209.80	1.4097
Mt. Hope Nursing Center	Mt. Hope	226.66	0.9376	Salina Windsor SNF OPCO, LLC	Salina	202.38	1.0762
Villa Maria, Inc.	Mulvane	249.57	1.1125	Pinnacle Park Nursing and Rehabilitation	Salina	228.85	1.2842
Neodesha Care and Rehab	Neodesha	199.38	1.2620	Salina Presbyterian Manor	Salina	224.85	0.9106
Ness County Hospital Dist.#2	Ness City	261.36	0.8753	Satanta Dist. Hosp. LTCU	Satanta	248.34	0.8411
Paramount Community Living and Rehab	Newton	274.07	1.0055	Park Lane Nursing Home	Scott City	258.81	1.0057
Kansas Christian Home	Newton	255.12	1.0429	Pleasant Valley Manor	Sedan	252.52	0.9917
Newton Presbyterian Manor	Newton	261.49	0.9691	Diversicare of Sedgwick	Sedgwick	262.60	1.1437
Bethel Care Center	North Newton	276.60	0.9653	Crestview Nursing & Residential Living	Seneca	205.69	0.9182
Andbe Home, Inc.	Norton	233.19	0.9784	Life Care Center of Seneca	Seneca	176.76	1.0857
Anew Healthcare	Nortonville	236.73	1.2873	Wallace County Community Center	Sharon Springs	221.27	1.1173
Logan County Senior Living	Oakley	215.95	1.0382	Shawnee Gardens Healthcare and Rehab	Shawnee	223.88	1.2640
Good Samaritan Society-Decatur Co.	Oberlin	256.57	0.8969	Sharon Lane Health and Rehabilitation	Shawnee	232.15	1.0092
Villa St. Francis Catholic Care Ctr.	Olathe	273.88	1.1543	Brookdale Rosehill	Shawnee	326.32	1.1237
Azria Health at Olathe	Olathe	226.92	1.1644	Smith Center Operator, LLC	Smith Center	211.36	1.3111
Good Samaritan Society-Olathe	Olathe	263.55	0.9463	Sunporch of Smith County	Smith Center	270.95	0.9363
Evergreen Community of Johnson Count	Olathe	250.81	1.0399	Mennonite Friendship Manor, Inc.	South Hutchinson	269.13	0.9794
Aberdeen Village, Inc.	Olathe	195.10	0.9958	Spearville Senior living	Spearville	232.47	1.0867
Nottingham Health & Rehab	Olathe	223.80	1.1222	Spring Hill Care and Rehab	Spring Hill	226.78	1.1349
The Healthcare Resort of Olathe	Olathe	216.54	1.2929	Cheyenne County Village, Inc.	St. Francis	266.05	0.9314
Onaga Operator, LLC	Onaga	267.90	1.2458	Leisure Homestead at St. John	St. John	234.85	1.0867
Osage Nursing & Rehab Center	Osage City	220.51	0.8624	Community Hospital of Onaga, LTCU	St. Mary's	208.57	0.9493
Life Care Center of Osawatomie	Osawatomie	283.06	1.3218	Prairie Mission Retirement Village	St. Paul	280.70	1.0735
Parkview Care Center	Osborne	185.01	0.9850	Leisure Homestead at Stafford	Stafford	204.46	0.8758
Heritage Gardens Health and Rehab	Oskaloosa	244.68	1.1598	Sterling Village	Sterling	198.51	0.9335
Oswego Operator, LLC	Oswego	223.27	1.2081	Solomon Valley Manor	Stockton	191.17	1.0611
Rock Creek of Ottawa	Ottawa	200.12	1.2256	Legend Healthcare	Tonganoxie	211.61	1.0875
Brookside Manor	Overbrook	199.65	1.0568	Brewster Health Center	Topeka	271.79	0.9520
Brookdale Overland Park	Overland Park	348.38	1.3867	Topeka Presbyterian Manor Inc.	Topeka	269.45	1.0032
Garden Terrace at Overland Park	Overland Park	225.68	1.0937	Legacy on 10th Ave.	Topeka	204.82	0.9972
KPC Promise Hospital of Overland Par	Overland Park	290.69	1.5005	Halstead Health and Rehab Center	Topeka	237.08	1.1441
Overland Park Center for Rehab & HC	Overland Park	271.46	1.1275	McCrite Plaza Health Center	Topeka	265.25	0.9913
Villa Saint Joseph	Overland Park	247.15	1.0319	Rolling Hills Health Center	Topeka	205.51	0.9562
Delmar Gardens of Overland Park	Overland Park	226.03	1.0672	Topeka Center for Rehab and Healthcare	Topeka	230.95	1.3734
Overland Park Nursing & Rehab	Overland Park	251.76	1.1961	Stoneybrook Retirement Community	Topeka	199.61	0.9666
Infinity Park Post-Acute and Rehab	Overland Park	277.58	0.9591	Valley Health Care Center	Topeka	215.14	0.6446
Village Shalom, Inc.	Overland Park	228.18	1.0750	Tanglewood Nursing and Rehabilitation	Topeka	202.94	1.3014
Tallgrass Creek, Inc.	Overland Park	283.09	1.3275	Brighton Place West	Topeka	247.56	0.8992
Shawnee Post Acute Rehab Center	Overland Park	283.08	1.2287	Countryside Health Center	Topeka	249.42	0.7029
Stratford Commons Rehab & HCC	Overland Park	253.37	1.0910	Providence Living Center	Topeka	261.29	0.7584
Colonial Village	Overland Park	274.05	1.0283	Alma Manor	Topeka	203.78	0.7874
ML-OP Oxford, LLC	Oxford	245.50	0.9298	Brighton Place North	Topeka	117.00	0.6677
Medicalodges Paola	Paola	247.49	0.7146	The Gardens at Aldersgate	Topeka	245.75	1.1251
North Point Skilled Nursing Center	Paola	200.19	1.2145	Recover-Care Plaza West Care Center	Topeka	283.42	1.2535
Elmhaven East	Parsons	204.96	0.9363	Holiday Resort of Salina	Topeka	216.55	0.9590
Parsons Presbyterian Manor	Parsons	209.46	1.1241	Lexington Park Nursing and Post Acute	Topeka	281.32	0.9132
Good Samaritan Society-Parsons	Parsons	305.93	0.9237	Pioneer Ridge Retirement Community	Topeka	280.95	0.8622
Peabody Operator, LLC	Peabody	187.54	1.1276	Western Prairie Senior Living	Topeka	277.51	0.9729
Access Mental Health	Peabody	270.69	0.6158	Twin Oaks Health & Rehab	Topeka	262.60	1.0245
Phillips County Retirement Center	Phillipsburg	196.27	1.0197	The Healthcare Resort of Topeka	Topeka	268.15	1.3169
Pittsburg Care and Rehab	Pittsburg	259.58	1.1030	Ranch House Senior Living	Topeka	268.05	0.9589
Medicalodges Pittsburg South	Pittsburg	234.07	1.0883	Greeley County Hospital, LTCU	Tribune	152.17	0.8821
Ascension Living Via Christi Village	Pittsburg	200.24	1.0250	Belleville Healthcare and Rehab Ctr	Unknown	184.88	1.1408
Rooks County Senior Services, Inc.	Plainville	221.80	1.1095	Trego Co. Lemke Memorial LTCU	Wakeeney	256.15	0.8966
The Village at Mission	Prairie Village	240.26	1.1855	Wakefield Care and Rehab	Wakefield	244.46	1.2652
Grand Plains-Skilled Nursing	Pratt	245.38	1.0262	Good Samaritan Society-Valley Vista	Wamego	223.80	1.0810
Pratt Operator, LLC	Pratt	242.47	1.1687	Wathena Healthcare and Rehab Center	Wathena	236.19	1.3293
Prairie Sunset Manor	Pretty Prairie	258.95	1.4434	Coffey County Hospital	Waverly	293.01	0.8557
Protection Valley Manor	Protection	181.99	0.7403	Botkin Care and Rehab	Wellington	280.97	1.1168
Gove County Medical Center	Quinter	270.52	0.9190	Sumner Operator, LLC	Wellington	235.17	1.0128
Richmond Healthcare and Rehab Center	Richmond	217.70	1.3067	Wellsville Manor	Wellsville	228.42	1.0618
Fountainview Nursing and Rehab Center	Rose Hill	173.80	1.0500	Westy Community Care Home	Westmoreland	205.69	0.7890
Rossville Healthcare and Rehab Center	Rossville	210.79	1.1726				

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Facility Name	City	Daily Rate	Medicaid CMI
Wheat State Manor	Whitewater	232.66	0.9657
Medicalodges Wichita	Wichita	241.66	1.0727
Meridian Rehab and Health Care Center	Wichita	159.65	0.9522
Homestead Health Center, Inc.	Wichita	269.75	0.9961
Orchard Gardens	Wichita	203.86	1.0146
Wichita Presbyterian Manor	Wichita	262.01	1.0230
Sandpiper Healthcare and Rehab Center	Wichita	188.31	1.2073
Lakepoint Wichita LLC	Wichita	220.59	1.0563
Wichita Center for Rehab and Healthcare	Wichita	229.30	1.2522
Legacy at College Hill	Wichita	192.40	0.9197
Seville Operator, LLC	Wichita	225.44	1.2725
Lincoln Care and Rehab	Wichita	284.20	1.1133
The Health Care Center at Larksfield Pl	Wichita	231.76	1.1078
Life Care Center of Wichita	Wichita	217.77	1.1197
Family Health & Rehabilitation Center	Wichita	225.10	1.1206
Caritas Center	Wichita	267.57	0.8958
Regent Park Rehab and Healthcare	Wichita	243.84	1.1379
Avita Health & Rehab of Reeds Cove	Wichita	246.55	1.0653
Ascension Living Via Christi Village	Wichita	229.27	1.0763
Ascension Living Via Christi Village	Wichita	262.75	0.9468
Mount St Mary	Wichita	257.05	1.1400
Azria Health Wichita	Wichita	288.08	1.0575
Wilson Care and Rehab	Wilson	218.96	1.2933
F W Huston Medical Center	Winchester	162.58	0.7931
Winfield Senior Living Community	Winfield	201.56	0.9846
Cumbernauld Village, Inc.	Winfield	281.78	0.9723
Winfield Rest Haven II LLC	Winfield	221.42	1.0936
Kansas Veterans' Home	Winfield	190.60	0.9369
Yates Operator, LLC	Yates Center	262.02	1.1493

III. Justifications for the Rates

- The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
- 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.
- The State's analyses project that the rates:
 - Would result in payment, in the aggregate of 90.06% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and
 - Would result in a maximum allowable rate of \$284.55 (for a CMI of 1.0704); with the total average allowable cost being \$229.42.
- Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase approximately \$35.9 million.
- 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:
 - Service providers operating a total of 320 nursing facilities and hospital-based long-term care units (representing 97.5% of all the licensed nursing facilities and long-term care units in Kansas) participate in the Medicaid program;
 - 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 98 of the 105 counties in Kansas;

- The statewide average occupancy rate for nursing facilities participating in Medicaid is 73.83%;
 - The statewide average Medicaid occupancy rate for participating facilities is 60.19%; and
 - The rates would cover 91.45% of the estimated Medicaid direct health care costs incurred by participating nursing facilities statewide.
- 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.

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 fax their signed, written comments before the close of business on May 16, 2022, to:

Kansas Department for Aging and Disability Services
 Sheri Jurad
 Director of NF/ACH Programs
 New England Building
 503 S. Kansas Ave.
 Topeka, KS 66603-3404
 Fax: 785-296-0256

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, 2022.

Laura Howard
 Secretary
 Department for Aging and Disability Services

Sarah Fertig
 Medicaid Director
 Department of Health and Environment
 Division of Health Care Finance

Doc. No. 050021

State of Kansas

Department for Aging and Disability Services

Request for Applications

The Department for Aging and Disability Services (KDADS), announces the release of a Request for Applications (RFA) to qualified applicants to provide services to produce outcomes requested in the goal areas identified within the RFA. Applications will be accepted no later than 5:00 p.m. (CDT) June 1, 2022. A complete copy of the RFA with details of important dates and timelines may be found at <https://www.kdads.ks.gov/provider-home/providers/bhs-funding-opportunities>. Additional files may be located at this website throughout the process so please monitor on a regular basis for changes.

I. Overview

KDADS solicits applications from Licensed Community Mental Health Centers (CMHCs) to develop and pro-

vide Assertive Community Treatment ACT) Programs. KDADS was awarded a Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Mental Health Services (CMHS) grant. This one-time CMHS Block Grant COVID Supplemental funding is available through March 14, 2023. SAMHSA recommends that states use the COVID-19 Enhancement Relief supplemental funds wherever possible to develop and support evidence-based crisis services development and to increase access to evidenced based treatment and coordinated recovery support for individuals diagnosed with a serious mental illness who are un-insured or underinsured. Funding available is \$800,000. Grant funding must be expended by or before March 14, 2023.

Once application/proposal is submitted, the Quality Assurance (QA) Team will review applications and determine awardees based upon the most critical needs in a drawdown fashion. The KDADS QA Team will compile a scope of work based on the application and the needs analysis to be performed by the QA Team.

II. Purpose

The Community Mental Health Block Grant (MHBG) supports states in reducing their reliance on psychiatric inpatient services and facilitates the development of effective community-based mental health services and programs. The MHBG supports critical services for individuals with a serious mental illness that Medicaid or state funds do not cover, such as crisis programming efforts. The purpose of this funding opportunity is to aid in the implementation of the ACT model in communities across the state of Kansas.

III. Eligibility

To be considered for this funding opportunity, you must be a CMHC who will be providing ACT services to their surrounding communities. Priority will be given to those CMHCs who will be providing specialized services to their local Nursing Facilities for Mental Health (NFMHs) and will not be part of the first group to become a Certified Community Behavioral Health Center (CCBHC). However, we encourage all CMHCs to apply as consideration will be given to communities who are in most need.

Selected applicants shall sign a Notice of Grant Award (NOGA), an agreement that KDADS will provide. The application submitted to KDADS shall become part of the NOGA.

IV. Targeted Populations

The MHBG program targets adults with serious mental illnesses. Includes persons aged 18 and older who have a diagnosable behavioral, mental, or emotional condition—as defined by the Psychiatric Association’s *Diagnostic and Statistical Manual (DSM) of Mental Disorders*. Their condition substantially interferes with, or limits, one or more major life activities, such as:

- Basic daily living (for example, eating or dressing)
- Instrumental living (for example, taking prescribed medications or getting around the community)
- Participating in a family, school, or workplace

ACT is an evidenced-based practice designed to assist individuals with Serious Mental Illness (SMI), primarily

ly those who have been diagnosed with schizophrenia, bipolar disorder, borderline personality disorder, and who struggle living independently within the community, have been unsuccessful in traditional treatments, engage in emergency services frequently, have housing instability, have legal issues, and/or have co-occurring substance use/mis-use diagnosis. ACT has been shown to reduce psychotic hospitalizations, improve housing stability among participants, improve quality of life, reduce symptoms, and improve social functioning, as well as improve individual and family satisfaction. (Phillips, et. al., 2001)

The ACT model is a team-based, transdisciplinary treatment approach that is capable of being more flexible based upon individual needs than a more traditional approach. This transdisciplinary treatment program can provide intensive wrap around services within the assembled team rather than referring to external providers. Services are available 24 hours a day, seven days a week, and 365 days a year. Furthermore, services are provided primarily within the community and home-based setting. Minimums of 80% of direct contact hours, as individuals are encouraged to engage within their environment throughout services.

V. Terms of the Grant

Programs are expected to begin to provide services to the target population who qualify for ACT services immediately after the grant has been awarded.

We have identified four main components crucial to the implementation of the ACT model:

1. Staffing and team formation to adequately address 24/7 crisis availability. (The ACT team should include the following members: Team leader, psychiatrist, psychiatric nurses, employment specialists, housing specialists, substance abuse specialists, peer support specialists, program assistant, and any additional mental health professionals as needed).
2. Facilitate team member to individual ratio of approximately 1:10.
3. Time unlimited services-there is no timeline for services to end and services are available for as long as the individual needs them.
4. Community Treatment and Care Coordination services are provided to the individual when and where they are needed.

These four components must be successfully administered to achieve high fidelity, ensuring greater outcomes for individuals who participate.

VI. Deliverables and Reporting

Services to be Provided by ACT Team

Services are individually tailored with the input of individuals through relationship building, individual assessment and planning, and active involvement with individuals for them to gain independence and maintain work in community jobs, better manage symptoms, and improve recovery outlook. The team is mobile and delivers services in the community to meet with individuals where they are most comfortable and convenient. Eighty percent (80%) or more of direct service is performed in

(continued)

the community. Individuals can receive contact multiple times per day, or in rural areas they may receive extended individual contacts with less frequency due to geography. Due to the intensity of the services individual to staff ratios are limited. Full time staff member to individual ratio is limited to 1 to 10.

Services that are expected to be provided within the team, as directed within an individualized treatment plan, include:

- Crisis intervention
- Clinical evaluation/assessment for co-occurring care and substance use treatment; treatment provided where applicable
- Psychiatric care
- Case management
- Medication administration and management
- Illness management and recovery skills
- Individual supportive therapy
- Supportive employment services such as pursuing education or vocational training
- Assistance with activities of daily living such as skill development addressing housing, performing household activities, personal hygiene and grooming tasks, money management, accessing and using transportation resources, accessing medical or dental resources, and accessing other applicable benefits, including training and coaching to promote greater independence in these areas
- Intervention with family and natural supports
- Coordination of care between team members and/or external services
- Housing assistance

Service Definitions

Crisis Intervention

Services that are offered 24 hours per day, seven days a week for individuals who are at risk of and/or experiencing a crisis.

Clinical Evaluation/Assessment

A comprehensive assessment that addresses current and past information from the individual and family and/or support systems regarding: 1) mental and functional status; 2) effectiveness of past treatment; 3) current treatment, rehabilitation, and support needs to achieve individual goals and support recovery; and 4) individual strengths that can act as resources towards achieving individual goals. The information gathered is used to: 1) establish appropriate intensity of care; 2) set initial goals and develop the first person-centered treatment plan; and 3) plan of utilization of client strengths and support network in treatment. [See NAC 458 and associated Division Criteria related to Clinical Evaluation and Assessment].

Psychiatric Care

Includes psychiatric medical assessment, treatment and education regarding an individual's mental health and substance use issues.

Case Management

Ongoing process that connects individuals to resources and supports to help them live in the community, manage their mental illness, and meet their personal goals.

Medication Administration and Management

A collaborative effort between the individual and the psychiatric prescriber with the participation of the ACT team to evaluate the individual's previous experience with psychotropic medications and side-effects; to identify and discuss the benefits and risks of psychotropic and other medication; to choose a medication treatment; and to establish a method to prescribe and evaluate medication according to evidence-based practice standards.

Illness Management and Recovery Skills

Combination of psychosocial approaches facilitating the learning and use of illness self-management strategies that help people make progress towards personally meaningful goals including relapse prevention planning, coping skills training, illness education, and promoting a healthy lifestyle.

Individual Supportive Therapy

Includes verbal therapies that help people make changes in their feelings, thoughts, and behavior to move towards recovery, clarify goals, and address stigma.

Supportive therapy and psychotherapy also help individuals understand and identify symptoms to find strategies to lessen distress and symptomatology, improve role functioning, and evaluate treatment and rehabilitative services.

Supportive Employment

Includes work-related services to help individuals value, find, and maintain meaningful employment in community-based job sites as well as job development and coordination with employers.

Family and Natural Supports

Includes psychoeducation and support in partnership with families and natural supports (supportive services built in their community in which the individual accesses, i.e., church, stable housing) to provide current information about mental illness and to help them develop coping skills for handling problems posed by mental illness as experienced by a significant other in their lives.

Coordination of Care Between Team Members and/or External Services

A process of organization and coordination within the transdisciplinary team to carry out the range of treatment, rehabilitation, and support services based upon the individualized treatment plan for individuals. Service coordination also includes coordination with community resources, including self-help and advocacy organizations that promote recovery.

Housing Assistance

Varies based upon individual needs. It may include finding safe, affordable housing, negotiating leases, and assisting clients in paying their rent, purchasing, and repairing household items, or developing relationships with landlords.

Reporting

Grant recipients will be required to submit a monthly report of activity by the 20th of each month to the KDADS QA Manager, as well as a final summary report addressing the results reached at grant term end March 14, 2023.

In addition, a financial report provided by KDADS shall be completed monthly, documenting all expenditures for the previous month, and submitted for reimbursement by the 20th of each month until all awarded funds are exhausted for the grant. The final report shall be expected March 20, 2023.

CMHCs who are awarded this funding must provide accurate and timely quarterly reports on their progress towards full fidelity, this will include: the number of participants, a list of team members and their roles, and the average length in participating in the ACT program. The reporting will be on the prior quarters deliverables and is due to KDADS QA Manager by the end of the first month of each quarter (January 2023 and April 2023). Following this grant period, the CMHC will be evaluated annually based upon Kansas’s ACT Fidelity Scale.

VII. Overview of Grant Awards

Applications/proposals may be submitted by 5:00 p.m. June 1, 2022, with specifics of proposed activities to meet the purpose of this sub-award as requested above.

VIII. Notification of Grant Awards

Funding awards will be announced by email July 1, 2022.

IX. Application

A. Instructions:

1. Submit one electronic application to KDADS.QA@ks.gov.
 - Due Date: June 1, 2022
 - Time: 5:00 p.m. (CDT)
 2. Complete the required cover sheet and submit with a Project Narrative(s).
 3. Applications must consist of a Project Narrative and a Proposed Budget (Appendix B- provided spreadsheet):
 - The boundaries of the areas to be served and communities of focus.
 - An explanation as to why the areas were selected (current service needs and gaps within the area).
 - Any demographic data to support your selection, cite your sources.
 - Methods planned for addressing the above-mentioned crucial components.
 - How data will be collected and reported back to KDADS.
 - A general timeline for completion of the project (must be completed by March 14, 2023).
 - A proposed line-item budget which includes personnel and fringe benefits, travel, supplies, and/or other related expenses (Appendix B: attached spreadsheet).
 4. Format the Project Narrative using one-inch margins at the top, bottom, and both sides; a font size of 12 point; and sequentially paginated pages.
 5. Please adhere to any funding limitations that may be listed within the project description.
- B. Only U.S. Food and Drug Administration (FDA) approved products and methods may be purchased with APRA funds.
- C. Grants are intended to fund practices that have a demonstrated evidence base and that are appropriate for the population(s) of focus. An evidence-based

practice (EBP) refers to approaches to prevention, treatment, or recovery that are validated by some form of documented research evidence.

- D. Funds may not be expended through the grant or a sub-award by any agency which would deny any eligible client, patient, or individual access to their program because of their use of FDA approved medications for the treatment of substance use disorders.
- E. Funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. § 75.300(a) (requiring HHS to “ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements.”); 21 U.S.C. §§ 812(c) (10) and 841 (prohibiting the possession, manufacture, sale, purchase, or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.
- F. The grantee agrees to abide by all state, federal and local laws, rules, and regulations prohibiting discrimination in employment and controlling workplace safety. Any violation of applicable laws, rules or regulations may result in termination of this Grant.
- G. Budget information – Appendix B (attached spreadsheet).
- H. Below is a timeline and due dates for this RFA. If KDADS finds a need to alter the timelines listed herein, either an addendum or correction notice will be issued announcing the alternate timeline.

Release of Request for Application	April 14, 2022
Written Questions Submitted	May 1, 2022
Applications Due	June 1, 2022
Awards Announced	July 1, 2022
Grant Phase	August 2022–March 2023

Note: Submit application and questions to KDADS.QA@ks.gov.

Appendix A: Application Cover Sheet

Legal Name of Organization:

Official Administrative Address:

City, State, Zip+4:

Federal ID #:

(continued)

Authorized Contract Signor and Title:

Contact for Application and Title:

Email Address:

Telephone:

Populations Served:

49-5311(f) program is to support the connection between nonurbanized areas and the larger regional or national system, meet the intercity travel needs of residents in nonurbanized areas, and support the infrastructure of the intercity bus network.

The application is available on the KDOT Public Transportation website at <http://www.ksdot.org/burTransPlan/pubtrans/index.asp>.

Awards for federal ICB operating assistance require a 50% local match. If in-kind match of unsubsidized intercity routes is proposed, documentation of availability must be included. Proposals for capital purchases should include all appropriate bid documents, vehicle specifications, associated routes and justification for purchase, a capital investment plan (including information on vehicles that will be replaced), and any additional supporting documents.

Any potential applicants that do not have internet access can request an application by contacting the KDOT Public Transit office at 785-296-8593.

All applications and proposals must be received by 11:59 p.m. May 27, 2022. Applications received after the deadline will not be accepted. Applications should be emailed to rene.hart@ks.gov or can be mailed to KDOT at the address below.

Kansas Department of Transportation
Office of Public Transportation
Attn: Rene Hart
700 SW Harrison St.
2nd Floor (Planning)
Topeka, KS 66603-3745

If you have any questions please contact Rene Hart, Public Transportation Manager at 785-296-8593.

Julie Lorenz
Secretary

Doc. No. 050024

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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

Appendix B: Budget Template

Separate spreadsheet template provided as an attachment. Budget Request tab example:

BUDGET REQUEST

(RFA - Attachment B)

APPLICANT:

TITLE OF RFA:

DESCRIPTION	BUDGET REQUEST	PERCENT OF TOTAL	MATCH*
Personnel	\$0.00	%	\$0.00
Fringe Benefits	\$0.00	%	\$0.00
Travel	\$0.00	%	\$0.00
Equipment	\$0.00	%	\$0.00
Supplies	\$0.00	%	\$0.00
Contractual	\$0.00	%	\$0.00
Building	\$0.00	%	\$0.00
Training	\$0.00	%	\$0.00
Other 1 (please specify)	\$0.00	%	\$0.00
Other 2 (please specify)	\$0.00	%	\$0.00
Other 3 (please specify)	\$0.00	%	\$0.00
Indirect Costs	\$0.00	%	\$0.00
TOTAL BUDGET REQUEST	\$0.00	%	\$0.00

Laura Howard
Secretary

Doc. No. 050018

State of Kansas

Department of Transportation

Request for Applications

The Kansas Department of Transportation (KDOT) Office of Public Transportation is now accepting applications for operating assistance and proposals for capital purchases in accordance with the Federal Transit Administration (FTA) program U.S.C. 49-5311(f) – Intercity Bus.

The purpose of the U.S.C. 49-5311(f) program is to provide funds to support the intercity bus system and its purpose as a vital link between isolated rural communities and the rest of the nation. The goal of the U.S.C.

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: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-4997-01	Project manager and inspectors as necessary to inspect: Grading, subgrade/base, HMA roadway, concrete, bridge, seeding, PCCP Plant, erosion control, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-4997-01	U166B-010 Bridge Replacement	Bridge #009 over Deer Creek on US-166B in Chautauqua County

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-4997-01 will be managed out of the KDOT office in Independence, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
- Anticipated Start Date: August 1, 2022
- Estimated Working Days: 125 days

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
- The subject line of the email and the PDF file name must read:
 - “KA-4997-01–ConstInsp BrReplcmnt Chautauqua Co_FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)

Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050039

State of Kansas

Department of Transportation

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
(continued)

in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-3940-01	Project manager and inspectors as necessary to inspect Grading, concrete, bridge, seeding, erosion control, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-3940-01	K143-085 Bridge #104: Bridge Replacement. Bridge #103: Bridge Removal	Bridge #104 (Saline River Drainage) located 2.62 miles north of I-70 Bridge #103 located at the K-143/E. Granville Road intersection on K-143 in Saline County

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-3940-01 will be managed out of the KDOT office in Salina, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
- Anticipated Start Date: July 1, 2022
- Estimated Working Days: 100 days

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to

KDOT.DesignContracts@ks.gov by the proposal due date and time.

- The subject line of the email and the PDF file name must read:
 - “KA-3940-01-ConstInsp BrReplcmnt Saline Co_ FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050038

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in Category 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.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6112-01	Project manager and inspectors as necessary to inspect: HIR, chip seal, traffic control, CMS or AASHTOWare data entry, all Project records, all project paperwork, and final paperwork, etc.
Project Number	Background and Scope of Project
KA-6205-01	Project manager and inspectors as necessary to inspect: chip seal, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.
KA-6206-01	
KA-6269-01	
KA-6276-01	

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6112-01	U036-077 Surface recycle and chip seal	US-36 in Rawlins County beginning 0.18 miles west of east city limits of Atwood thence east to the Rawlins/Decatur County line

KA-6205-01	K018-071 Seal	K-18 in Osborne County beginning at the Rooks/Osborne County line thence southeast to the Osborne/Russell County line
KA-6206-01	K018-084 Seal	K-18 in Russell County beginning at the Osborne/Russell County line thence southeast to junction US-281/K-18
KA-6269-01	U036-020 Chip seal with CM-L-2	US-36 in Decatur County from 0.82 mile east of the east city limits of Oberlin east to the Decatur/Norton County line
KA-6276-01	K018-082 Chip seal	K-18 in Rooks County beginning 0.48 miles east of the east city limits of Plainville to the Osborne/Rooks County line

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

- Note 1: Projects KA-6112-01 and KA-6269-01 will be managed out of the KDOT office in Atwood, Kansas. Projects KA-6205-01, KA-6206-01, and KA-6276-01 will be managed out of the KDOT office in Phillipsburg, Kansas.
- Note 2: KDOT has or plans to let Projects KA-6205-01, KA-6206-01, KA-6269-01, and KA-6276-01 to the same contractor; KA-6112-01 has been or will be let to a different contractor. It is expected that the chip seal contractor will be the same on all projects and that those efforts will be worked consecutively.
- Note 3: While these projects are being advertised as a single group, KDOT will consider proposals that include any portion of the requested services.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
2. Anticipated Start Date for KA-6112-01 Surface Recycle: May 15, 2022
3. Anticipated Start Date for Chip Seals: June 1, 2022
4. Estimated Working Days:
 - a. KA-6112-01: 25 days
 - b. KA-6205-01: 10 days
 - c. KA-6206-01: 20 days
 - d. KA-6269-01: 25 days
 - e. KA-6276-01: 10 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 4 pages total (including any cover letter, index, etc.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:

(continued)

- a. "RFP for KA-6112,6205,06,69,76-ConstInsp for ChipSeal in Multiple Cos.r1_FIRM NAME"
- 5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). 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.
- 6. The outline in Table 3 below describes the expected proposal organization and content sections.
- 7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(no more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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")

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050004

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-5798-01	Project manager and inspectors as necessary to inspect: Grading, concrete, seeding, RC boxes, erosion control, traffic control, guard rail, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-5798-01	K014-078 Remove and update guardrail end terminals	K-14/K-96: 1300 feet south of Heartland Drive K-14: 1470 feet south of west Trail West Road

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope: Construction Inspection/Testing.

KA-5798-01 will be managed out of the KDOT office in El Dorado, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
2. Anticipated Start Date: May 1, 2022
3. Estimated Working Days: 25 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 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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-5798-01–ConstInsp Guardrails Reno Co_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050040

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6278-01	Project manager and inspectors as necessary to inspect: Pavement patching, subgrade/base, concrete, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

(continued)

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6278-01	I070-031 Portland Cement Concrete Pavement patching (PCCP) and resealing joints main-line and ramps	I-70 in Geary County beginning 0.636 miles east of junction I-70/K-57 to the Geary/Riley County line

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-6278-01 will be managed out of the KDOT office in Junction City, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
- Anticipated Start Date: June 1, 2022
- Estimated Working Days: 105 days

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
- The subject line of the email and the PDF file name must read:
 - “KA-6278-01-ConstInsp PvmtRep Geary Co _FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.

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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050037

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a letter of interest to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in Category 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.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6290-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.
KA-6227-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Location
KA-6290-01	Multiple Routes-005 US-281: 2-inch hot in-place recycling, 1.5-inch overlay, rumble strips, edge wedge on shoulders.	Barton County: US-281: West junction US-281/K-4 to east junction US-281/K-4. K-4 (part1): Rush/Barton County line to west junction US-281/K-4.
	K-4: 1-inch cold mill, 2-inch overlay and edge wedge	K-4 (part 2): East junction US-281/K-4 to the Barton/Rice County line
KA-6227-01	Multiple Routes-073 ¾-inch cold mill, 2-inch overlay and edge wedge on shoulders	Pawnee County: K-156: Hodgeman/Pawnee County line to the west city limits of Larned. K-264: State hospital to junction K-156/K-264. US-183: Junction K-156/US-183 to the Pawnee/Rush County line.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

- Note: These projects will be managed out of the KDOT office in Great Bend, Kansas. These Projects have all been let and awarded to a single contractor.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
- Anticipated Start Dates and Estimated Working Days:
 - KA-6290-01:
 - Surface Recycle Starting June 20, 2022
 - Asphalt Paving Starting July 1, 2022
 - Estimated Working Days: 45 days
 - KA-6227-01:
 - Starting August 8, 2022
 - Estimated Working Days: 60 days

Instructions for Proposal

- 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.
- The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.)
- A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
- The subject line of the email and the PDF file name must read:
 - “KA-6290, 6227-ConstInsp Resurf in Barton-Pawnee.r2_FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(no more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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%

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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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050008

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6371-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6371-01	Multiple-011 1.5-inch cold mill, 1.5-inch overlay	KA-6409-01: US-69 in Cherokee County from the south city limits of Baxter Springs (Military Ave) to the north city limits of Baxter Springs. KA-6410-01: US-166 in Cherokee County from the west city limits of Baxter Springs (12th St) to the east city limits of Baxter Springs.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-6371-01 will be managed out of the KDOT office in Pittsburg, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
2. Anticipated Start Date: August 1, 2022
3. Estimated Working Days: 35 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 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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6371-01–ConstInsp Resurf Cherokee Co_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.

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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050033

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6358-01	Project manager and inspectors as necessary to inspect: Surface recycle, chip seal, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6358-01	Multiple-106 1-inch hot in-place recycling and seal	KA-6359-01: K-58 in Greenwood County from junction K-99/K-58 to the Greenwood/Coffey County line
		KA-6360-01: K-58 in Coffey County from the Greenwood/Coffey County line to north junction K-58/US-75
		KA-6361-01: K-58 in Coffey County from south junction K-58/US-75 to west city limits of Leroy
		KA-6504-01: K-249 in Greenwood County from junction K-99/K-249 to junction K-58/K-249

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-6358-01 will be managed out of the KDOT office in Iola, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
2. Anticipated Start Date: August 15, 2022
3. Estimated Working Days: 25 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 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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to

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KDODesignContracts@ks.gov by the proposal due date and time.

4. The subject line of the email and the PDF file name must read:
 - a. "KA-6358-01-ConstInsp Resurf Multiple Cos_ FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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")

Questions

All questions regarding this request for proposals shall be emailed to KDODesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050035

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDODesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6366-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.
KA-6367-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6366-01	I035-061 1-inch RCI with 3-inch overlay and 4-inch shoulder overlay	I-35: From the Franklin/Miami County line northeast to the Miami/Johnson County line

KA-6367-01	I035-030 1-inch RCI with 3-inch overlay and 4-inch shoulder overlay	I-35: From 8.5 miles north of the south I-35/US-59 junction northeast to the Franklin/Miami County line
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Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

Both KA-6366-01 and KA-6367-01 will be managed out of the KDOT office in Garnett, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
- Anticipated Start Date (for both projects): June 1, 2022
- Estimated Working Days: 100 days (for both projects)

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
- The subject line of the email and the PDF file name must read:
 - “KA-6366,67-01-ConstInsp Resurf Multiple Cos_FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.

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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050036

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 241 Construction Inspection and Testing.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must

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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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6328-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.
KA-6329-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6328-01	K068-070 2-inch cold mill, 2-inch overlay and edge wedge and rumble strips on shoulders	K-68 in Osage County beginning at junction K-68/K-268 to the Osage/Franklin County line
KA-6329-01	K068-030 Inch cold mill, 2-inch overlay, rumble strips and edge wedge on shoulders	K-68 in Franklin County beginning at the Franklin/Osage County line to the west city limits of Ottawa

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

Both KA-6328-01 and KA-6329-01 will be managed out of the KDOT office in Garnett, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
- Anticipated Start Date (for both projects): August 1, 2022
- Estimated Working Days:
 - KA-6328-01: 45 days
 - KA-6329-01: 45 days
- These projects are tied and the working days will run concurrently.

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to

KDOT.DesignContracts@ks.gov by the proposal due date and time.

- The subject line of the email and the PDF file name must read:
 - “KA-6328,29-01–ConstInsp Resurf Osage.Franklin Cos_FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050032

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6319-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6319-01	U059-050 1-inch cold mill, 1-inch overlay, rumble strips on shoulders	US-59 in Labette County beginning at the Kansas/ Oklahoma state line to the north city limits of Oswego

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-6319-01 will be managed out of the KDOT office in Pittsburg, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
2. Anticipated Start Date: August 5, 2022
3. Estimated Working Days: 40 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 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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6319-01-ConstInsp Resurf Labette Co_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%

(continued)

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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050031

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in Category 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.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6398-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6398-01	U050-056 3-inch overlay and rumble strips on centerline and shoulders	US-50 in Lyon County beginning at the Chase/Lyon County line to junction Road E 5/US-50

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

This effort will be managed out of the KDOT office in Emporia, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
2. Anticipated Start Date: July 15, 2022
3. Estimated Working Days: 50 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 4 pages total (including any cover letter, index, etc.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6398-ConstInsp Pvmr Resurf in Lyon Co.r1_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(no more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.

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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050006

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) May 4, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-6230-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6230-01	K068-061 1.5-inch mill and overlay, edge wedge	K-68 in Miami County beginning at junction US-69/K-68 to the Kansas/Missouri state line

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-6230-01 will be managed out of the KDOT office in Garnett, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) May 4, 2022
2. Anticipated Start Date: August 1, 2022
3. Estimated Working Days: 25 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 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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6230-01–ConstInsp Resurf Miami Co_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

(continued)

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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")

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 22, 2022; answers will be provided to all prequalified consultants on April 27, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050034

State of Kansas

Department of Transportation

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

in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in Category 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.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6221-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6221-01	Multiple Routes-064 1.5-inch overlay, rumble strips and edge wedge on shoulders	K-177 in Morris County beginning at the north city limits of Council Grove to junction K-177/L Avenue. US-56 in Morris County beginning at the east city limits of Council Grove to the Morris/Lyon County line.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope: Construction Inspection/Testing.

This effort will be managed out of the KDOT office in Marion, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
2. Anticipated Start Date: August 15, 2022
3. Estimated Working Days: 30 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 4 pages total (including any cover letter, index, etc.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:

- a. "KA-6221-ConstInsp Pvmt Resurf in Morris Co.r1_FIRM NAME"
- 5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). 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.
- 6. The outline in Table 3 below describes the expected proposal organization and content sections.
- 7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(no more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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")

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050005

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in Category 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.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6395-01	Project manager and inspectors as necessary to inspect: HMA plant, HMA roadway, pavement marking, traffic control, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-6395-01	U075-070 2-inch cold mill, 2-inch overlay	US-75 in Osage County beginning at junction K-68/US-75 to junction K-268/K-31/US-75

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant's scope: Construction Inspection/Testing.

This effort will be managed out of the KDOT office in Emporia, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CST) April 27, 2022
2. Anticipated Start Date: July 5, 2022
3. Estimated Working Days: 35 days

(continued)

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.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6395–ConstInsp Pvmt Resurf in Osage.r1_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(no more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050007

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-4746-03	Project manager and inspectors as necessary to inspect: Signing, traffic control, CMS or AASH-TOWare data entry, all project records, all project paperwork, and final paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-4746-03	I070–106 Replace existing signs to maintain minimum retroreflectivity to meet MUTCD requirements.	I-70 in Sherman, Thomas, Gove, Trego, Ellis, Russell Counties

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.
 KA-4746-03 will be managed out of the KDOT office in Oakley, Kansas.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
2. Anticipated Start Date: May 15, 2022
3. Estimated Working Days: 175 days
 - a. Note: Project was started in 2021–80 working days remain.

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 count as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-4746-03 ConstInsp for Signing in Mult Cos_ FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.
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Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.
 Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
 Division of Engineering and Design

Doc. No. 050009

State of Kansas

Department of Transportation

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 in Table 1 below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) April 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category 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 *(continued)*)

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.

Table 1: Resource and Inspection Needs

Project Number	Resource and Inspection Needs
KA-4746-04	Project Manager and inspectors as necessary to inspect: Signing, Traffic Control, CMS or AASH-TOWare data entry, all Project Records, all Project Paperwork and Final Paperwork, etc.

Table 2: Project Summary

Project Number	Route and Scope	Project Location
KA-4746-04	I070-106 Replace existing signs to maintain minimum retroreflectivity to meet MUTCD requirements.	I-70 in Sherman, Thomas, Gove, Trego, Ellis, Russell Counties

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Construction Inspection/Testing.

KA-4746-04 will be managed out of the KDOT office in Oakley, Kansas.

Anticipated Schedule and Key Dates

- Proposals are due by or before 12:00 p.m. (CDT) April 27, 2022
- Anticipated Start Date: May 15, 2022
- Estimated Working Days: 135 days

Instructions for Proposal

- 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.
- 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 count as two or more pages depending on size.
- A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
- The subject line of the email and the PDF file name must read:
 - “KA-4746-04 ConstInsp for Signing in Mult Cos_ FIRM NAME”
- The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). 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.
- The outline in Table 3 below describes the expected proposal organization and content sections.
- Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	(No more than 1 page)
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.
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.
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 inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: 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”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until April 15, 2022; answers will be provided to all prequalified consultants on April 20, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050010

State of Kansas

Legislative Administrative Services

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 31 – April 6 during the

2022 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2748, AN ACT concerning health and healthcare; enacting the no patient left alone act; requiring hospitals and other healthcare settings to allow in-person visitation of patients or residents, by Committee on Federal and State Affairs.

House Concurrent Resolutions

HCR 5036, A CONCURRENT RESOLUTION extending the 2022 regular session of the Legislature beyond 90 calendar days; providing for the adjournment of the Senate and House of Representatives for a period of time during such regular session, by Representatives Ryckman, Hawkins and Sawyer.

Doc. No. 050029

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 each of the following bills 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 14, 2022.)

Senate Bill No. 330

AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund.

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

Section 1. (a) The capitol preservation committee shall approve plans to place a permanent memorial honoring Kansas gold star families on the state capitol grounds pursuant to K.S.A. 75-2269, and amendments thereto.

(b) The secretary of administration is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of financing the creation and construction of the memorial and to expend such moneys received for such purpose. The secretary of administration shall remit all moneys so received 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 to the credit of the Kansas gold star families memorial fund. No public funds shall be expended for the purpose of financing the creation or construction of the memorial.

(c) There is hereby established in the state treasury the Kansas gold star families memorial fund. Expenditures from the fund may be made for the purposes of creating and constructing the memorial and for such other purposes as may be specified with regard to any grant, gift, contribution or bequest. All such expenditures shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or the secretary's designee.

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

Doc. No. 050030

(Published in the Kansas Register April 14, 2022.)

Senate Substitute for House Bill No. 2458

AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.

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

Section 1. K.S.A. 8-295 is hereby amended to read as follows: 8-295. Each driver's license examiner shall use the following vision standards for driver's license applicants:

(a) Each applicant testing $20/40$ or better in at least one eye at the examination station shall meet the vision requirements. The driver's license examiner shall give each applicant failing to meet this test a vision form and refer the applicant to an ophthalmologist or optometrist of the applicant's choice.

(b) Each applicant who has received a vision report from an ophthalmologist or optometrist shall have $20/60$ or better vision in at least one eye, with or without standard corrective lens, as determined by an ophthalmologist or optometrist to be eligible to be issued a driver's license.

(c) The driver's license examiner shall require each individual with a reading of $20/60$ in the better eye, with or without standard corrective lens, to submit to a driver's test.

(d) An applicant failing to meet any of the above standards may be issued a driver's license if the applicant can demonstrate that the applicant can safely operate a vehicle and has had a good driving record for the previous three years. The division may impose reasonable restrictions on such license, as provided in K.S.A. 8-245, and amendments thereto.

(e) An applicant failing to meet the standards in subsections (a) through (d) shall be afforded a hearing in the manner prescribed by subsection (e) of K.S.A. 8-255(c), and amendments thereto.

(f) No optometrist or ophthalmologist reporting to the division or to the medical advisory board in good faith any information which that such person may have relating to the visual condition or other ability vision of an applicant for a driver's license to safely operate a motor vehicle shall be subject to a civil action liable for damages as a result of reporting such information including any information provided in a vision report to any person subsequent to the issuance or the renewal of a driver's license to the applicant.

Sec. 2. K.S.A. 8-295 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. 050041

(Published in the Kansas Register April 14, 2022.)

House Bill No. 2537

AN ACT concerning the insurance department; relating to the Kansas administrative procedure act; requiring a hearing at the request of any person subject to an order; amending K.S.A. 40-281 and repealing the existing section.

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

Section 1. K.S.A. 40-281 is hereby amended to read as follows: 40-281. (a) The commissioner of insurance is hereby authorized to hold a fact-finding hearing on any matter relating to the business of insurance; whenever ~~he~~ *the commissioner* shall have reason to believe that such a proceeding ~~by him~~ would be in the public interest. The commissioner shall give to all interested parties reasonable notice of any such hearing, and ~~said~~ *such* notice shall contain the time, place and purpose of the hearing. Notice of the hearing may be sent by registered mail, and any hearing held in accordance with notice thereof shall not be affected by the failure of any party to attend or remain in attendance.

(b) At the time and place fixed for such hearing, all interested parties shall have an opportunity to be heard and to present such material

(continued)

as the commissioner deems relevant to the matter at issue, but the observance of formal rules of pleading or evidence at any such hearing shall not be required unless requested by any party subpoenaed to appear at such hearing. The commissioner may adjourn any hearing from time to time by announcement thereof at the hearing.

(c) The commissioner, upon such hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence; and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence or other documents deemed relevant to the inquiry. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which the person may be lawfully interrogated, the district court of Shawnee county or the county where such person resides, on application of the commissioner, may issue an order requiring such person to comply with such subpoena and to testify, and any failure to obey any such order of the court may be punished by the court as a contempt thereof. The commissioner may cause to be made a stenographic record of all the evidence and all of the proceedings had at any such hearing.

(d) A person subject to any order, as defined in K.S.A. 77-502, and amendments thereto, issued by the commissioner may request a hearing on such order. If such a request is made, the commissioner shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act.

(e) Nothing in this act shall be construed as affecting the filing of rates required by articles 9 and 11 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 2. K.S.A. 40-281 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. 050042

(Published in the Kansas Register April 14, 2022.)

House Bill No. 2547

AN ACT concerning insurance; relating to the captive insurance act; authorizing technology-enabled fiduciary financial institution insurance companies; providing for the certificate of authority, requirements and operations thereof; amending K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 and repealing the existing sections.

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

New Section 1. (a) In addition to the types of insurance permitted under K.S.A. 40-4302, and amendments thereto, the certificate of authority issued to a technology-enabled fiduciary financial institution insurance company shall authorize such insurance company to provide contracts of suretyship or credit insurance where the obligee under the contract of suretyship or the insured under the contract of credit insurance, as the case may be, is:

- (1) An affiliated technology-enabled fiduciary financial institution;
- (2) an affiliated fidfin trust; or
- (3) any other affiliated company.

(b) (1) In addition to the types of insurance otherwise permitted, and without any limitation, under K.S.A. 40-4302, and amendments thereto, the certificate of authority issued to a technology-enabled fiduciary financial institution insurance company shall authorize such insurance company to insure its affiliated companies that are investors in an investment fund against liability, loss or damage resulting from owning an interest in an investment fund from any of the following risks:

(A) Fraud, theft or conversion of assets by a manager of an investment fund;

(B) the obligation of an investor in an investment fund to indemnify or exculpate a manager of such investment fund;

(C) any obligation of an affiliated technology-enabled fiduciary financial institution, affiliated fidfin trust or affiliated company to indemnify or exculpate an affiliated company or an investment fund in which any affiliated fidfin trust is an investor, or of which an affiliated fidfin trust is an affiliated company or of which any affiliated fidfin trust is a manager;

(D) the inability of an investor to recover damages from a manager of such investment fund as a result of exculpation provisions in the governing documents of such investment fund;

(E) breach of representations or warranties made by a transferor, assignor or investor in an investment fund in connection with a transfer or assignment of an interest in an investment fund; or

(F) breach of an obligation of a transferor, assignor or investor in an investment fund to pass through to the transferee, assignee or substitute investor in an investment fund any and all economic benefits of a transferred or assigned interest in an investment fund.

(2) To the extent that such coverages in this subsection are not included within any of the classes enumerated in K.S.A. 40-1102, and amendments thereto, such coverages shall be deemed as included in K.S.A. 40-1102(1)(n), and amendments thereto, and the commissioner shall assign such coverages to an appropriate line of business for financial reporting purposes and all other purposes under chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(c) For the purpose of any policy or product offered by a technology-enabled fiduciary financial institution insurance company as insurance, fortuitous events shall include, without limitation:

(1) The denial of, or failure to provide, consent by a manager of an investment fund to the assignment or transfer of interests in an investment fund from an investor to an affiliated fidfin trust;

(2) any action taken by a manager of an investment fund that affects the economic value of an investor's interest in an investment fund in response to the attempted transfer of such interest in an investment fund to an affiliated fidfin trust;

(3) after an attempted transfer of an interest in an investment fund from an investor to an affiliated fidfin trust, the failure of such investor to transmit any distributions or other economic value from such interest in an investment fund to the applicable affiliated fidfin trust;

(4) after an attempted transfer of an interest in an investment fund from an investor to an affiliated fidfin trust, any action taken by another investor in such investment fund that affects:

(A) The economic value of such interest in an investment fund; or

(B) such transferor's ability to transfer such interest in an investment fund to the applicable affiliated fidfin trust; and

(5) any other risks related to the transfer of an interest in an investment fund from an investor to an affiliated fidfin trust.

(d) Notwithstanding the provisions of K.S.A. 40-4303, and amendments thereto, a technology-enabled fiduciary financial institution insurance company shall not be required to incorporate the word "captive" into its name if such insurance company incorporates into its name any of the following identifiers:

(1) "Technology-enabled fiduciary financial institution insurance company" or "TEFFI insurance company";

(2) "Kansas e-commerce fidfin insurance company"; or

(3) "KEFFLI."

(e) For purposes of K.S.A. 40-4302(b)(3), and amendments thereto, the principal place of business in this state of a technology-enabled fiduciary financial institution insurance company may be located in the same or shared office premises with an affiliated technology-enabled fiduciary financial institution or other technology-enabled fiduciary financial institution insurance company.

(f) Any natural person who serves as a member of the board of directors of an affiliated technology-enabled fiduciary financial institution or other affiliated company may concurrently fulfill the Kansas residency requirement of K.S.A. 9-2306(b), and amendments thereto, and may:

(1) Serve on the board of directors of a technology-enabled fiduciary financial institution insurance company that is organized as a corporation or serve as a manager of a technology-enabled fiduciary financial institution that is organized as a limited liability company; and

(2) fulfill the applicable Kansas residency requirements of K.S.A. 40-4306(d), and amendments thereto.

(g) (1) A technology-enabled fiduciary financial institution insurance company may enter into service contracts with any other technology-enabled fiduciary financial institution insurance company, an affiliated technology-enabled fiduciary financial institution or affiliated companies that provide for services to be performed:

(A) For the technology-enabled fiduciary financial institution insurance company, including such insurance companies that operate with or without direct employees; or

(B) by the technology-enabled fiduciary financial institution insurance company.

(2) Any personnel who perform services for a technology-enabled fiduciary financial institution insurance company, either as employees of such insurance company or pursuant to service contracts, may concurrently perform services for any other technology-enabled fiduciary

financial institution insurance company, an affiliated technology-enabled fiduciary financial institution or an affiliated company thereof, either as employees or pursuant to service contracts.

(h) (1) If a technology-enabled fiduciary financial institution insurance company issues payment-in-kind policies that expressly require such insurance company to hold a sufficient amount of in-kind assets to meet the full obligations of such payment-in-kind policies, such insurance company shall hold in-kind assets in a total amount determined to be actuarially prudent to meet its obligations to make claim payments under such payment-in-kind policies, but in no event shall such amount be less than the sum of the aggregate obligations of and for all such payment-in-kind policies. If a technology-enabled fiduciary financial institution insurance company issues payment-in-kind policies that do not expressly require such insurance company to hold a certain amount of in-kind assets, such insurance company shall hold in-kind assets to the extent determined to be actuarially prudent by such insurance company and confirmed by a third-party actuary selected by such insurance company, to enable such insurance company to meet its obligations to make claim payments under such payment-in-kind policies. Such third-party actuary shall have an actuarial designation meeting the national association of insurance commissioners minimum property and casualty actuarial educational standards for a property and casualty appointed actuary as published on the website for the national association of insurance commissioners. For the purposes of the captive insurance act, a technology-enabled fiduciary financial institution insurance company shall value any in-kind asset or combination of in-kind assets in accordance with generally accepted accounting principles, as applied by such insurance company in its sole discretion.

(2) A technology-enabled fiduciary financial institution insurance company shall satisfy claims under a payment-in-kind policy by delivering to the qualified policyholder in-kind assets or a combination of in-kind assets pursuant to the schedules attached to such payment-in-kind policy. The in-kind assets or combination of in-kind assets delivered to a qualified policyholder may be:

(A) An interest or interests in an investment fund that is the subject of such payment-in-kind policy; or

(B) any other in-kind assets or combination of in-kind assets as shall be selected by such insurance company in its sole discretion if such assets have a like or equal value and otherwise comply with the schedules attached to such payment-in-kind policy.

(3) Any in-kind assets held pursuant to this subsection shall be required to be counted as part of the reserves, capital and surplus of a technology-enabled fiduciary financial institution insurance company maintained and reported as for the primary and predominant business activity of the writing of insurance or the reinsuring of risks, except that a technology-enabled fiduciary financial institution insurance company that satisfies the requirements of K.S.A. 40-4304, and amendments thereto, shall not be required to hold any other assets so long as such in-kind assets are sufficient to meet its obligations to make claim payments under payment-in-kind policies by delivering such in-kind assets to qualified policyholders.

(4) All revenue and income generated by the in-kind assets required to be held pursuant to this subsection, including interest, capital gains and investment revenue and income, whether realized or unrealized, shall be deemed income derived from the business activity of the writing of insurance or the reinsuring of risks underwritten by technology-enabled fiduciary financial institution insurance companies. If such amounts represent net income, then such income shall be reported as statutory revenues from the business activity of the writing of insurance or the reinsuring of risks. If such amounts represent a net loss, then such loss shall be reported as statutory net losses included with losses from claims. Such amounts shall be reported and included in statutory financial statements. All payment-in-kind assets required to be held by a technology-enabled fiduciary financial institution insurance company under this subsection shall be reported on its statutory balance sheet as being dedicated to the satisfaction of such company's payment-in-kind obligations resulting from the business activity of the writing of insurance or the reinsuring of risks.

(5) A technology-enabled fiduciary financial institution insurance company will be required to report any items required to be included under this subsection in a statutory financial statement in the segment reporting section of the footnotes prepared in accordance with generally accepted accounting principles.

(6) A technology-enabled fiduciary financial institution insurance company will be required to include in its complete statutory financial

statements in the footnotes reporting other information prepared in accordance with generally accepted accounting principles.

(i) Any insurance company regardless of the jurisdiction in which such insurance company is organized and operates is permitted to hold equity interests in an affiliated technology-enabled fiduciary financial institution and may utilize such equity interests as in-kind assets when issuing payment-in-kind policies to such affiliated technology-enabled fiduciary financial institution or other qualified policyholder.

(j) A technology-enabled fiduciary financial institution insurance company shall not be required to employ, engage or contract more than one employee in this state to provide services for such technology-enabled fiduciary financial institution insurance company or to facilitate any examinations required by the captive insurance act.

(k) A technology-enabled fiduciary financial institution insurance company or other insurance company organized under the provisions of K.S.A. 40-4306, and amendments thereto, that has been issued a certificate of authority under K.S.A. 40-4302, and amendments thereto, shall be an "insurance company" as defined in K.S.A. 40-222c, and amendments thereto. An insurance company described in this subsection shall be considered to have as its primary and predominant business activity the writing of insurance or the reinsuring of risks underwritten by insurance companies and shall be subject to the supervision of the commissioner.

(l) A technology-enabled fiduciary financial institution insurance company that has been issued a certificate of authority under K.S.A. 40-4302, and amendments thereto, shall be permitted, subject to compliance with the provisions of K.S.A. 40-214, and amendments thereto, to do business in any other state or territory of the United States.

(m) A technology-enabled fiduciary financial institution policy may include a provision that such policy shall be governed by, and construed in accordance with, the laws of the state of Kansas and such policy provision shall control over any contrary provision of state law regarding conflict of laws.

(n) A technology-enabled fiduciary financial institution policy may include a provision that any suit, action or proceeding arising out of or relating to such technology-enabled fiduciary financial institution policy shall be brought in any district court of this state or the United States district court for the district of Kansas and any such provision shall be fully enforceable.

(o) A technology-enabled fiduciary financial institution policy issued in connection with an affiliated fidfin trust or fidfin transaction as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto, shall respect the form, treatment and character of such affiliated fidfin trust or fidfin transaction under the laws of this state notwithstanding the treatment or characterization of such transaction under generally accepted accounting principles or for tax purposes.

(p) A payment-in-kind policy issued to a qualified policyholder shall be fully enforceable in accordance with such policy's terms and conditions as defined in K.S.A. 40-4301, and amendments thereto.

(q) The provisions of this section shall be construed in a manner that shall not be disruptive to state efforts to establish a coherent policy with respect to a technology-enabled fiduciary financial institution insurance company, a technology-enabled fiduciary financial institution policy, payment-in-kind policies, technology-enabled fiduciary financial institutions or any other matter of substantial public concern related thereto.

(r) This section shall be a part of and supplemental to the captive insurance act.

Sec. 2. K.S.A. 40-4301 is hereby amended to read as follows: 40-4301. As used in the captive insurance act, unless the context requires otherwise:

(a) "Affiliated company" means any person, other than a natural person in that person's individual capacity, in the same corporate system as a parent, or an associate member by common ownership, control, operation or management, any affiliated fidfin trust and any affiliated technology-enabled fiduciary financial institution.

(b) "Affiliated fidfin trust" means a trust, including a fidfin trust of which an affiliated technology-enabled fiduciary financial institution acts as a trustee or custodian.

(c) "Affiliated technology-enabled fiduciary financial institution" means a technology-enabled fiduciary financial institution:

(1) That is related to a technology-enabled fiduciary financial institution insurance company by common ownership; or

(2) at least 5% of the equity interests of which, including any equity interests in the technology-enabled fiduciary financial institution's holding
(continued)

company are owned directly, indirectly or beneficially by a technology-enabled fiduciary financial institution insurance company. In calculating a technology-enabled fiduciary financial institution insurance company's ownership of a technology-enabled fiduciary financial institution: (A) Both voting and nonvoting equity interests shall be included in such calculation; and (B) any equity interests of the technology-enabled fiduciary financial institution owned by an affiliate of such technology-enabled fiduciary financial institution insurance company shall be attributed to such technology-enabled fiduciary financial institution insurance company.

(b)(d) "Association" means any legal association of persons, corporations, limited liability companies, partnerships, associations or other entities that have been in continuous existence for at least one year or such lesser period of time approved by the commissioner, whether or not in conjunction with some or all of the member organizations that:

(1) Own, control or hold with power to vote all of the outstanding voting securities of an association captive insurance company incorporated as a stock insurer;

(2) have complete voting control over an association captive insurance company incorporated as a mutual insurer;

(3) constitute all of the subscribers of an association captive insurance company formed as a limited liability company; or

(4) have complete voting control over an association captive insurance company formed as a limited liability company.

(e)(e) "Association captive insurance company" means any captive insurance company that insures risks of association members.

(f)(f) "Association member" means any person that belongs to an association.

(g)(g) "Capital and surplus" means the amount by which the value of all of the assets exceeds all of the liabilities of the captive insurance company, as determined under the method of accounting utilized by the captive insurance company in accordance with the applicable provisions of this act.

(h)(h) "Captive insurance company" means any pure captive insurance company or association captive insurance company. For purposes of this act, a branch captive insurance company shall be a pure captive insurance company with respect to operations in this state, unless otherwise permitted by the commissioner.

(i)(i) "Commissioner" means the commissioner of insurance.

(j) "Common ownership" means at least 5% equity ownership, whether voting or nonvoting, that is held directly, indirectly or beneficially through one or more entities, including ownership in a technology-enabled fiduciary financial institution's holding company.

(k)(k) "Controlled unaffiliated business" means any person other than a natural person in that natural person's individual capacity:

(1) That is not a part of the corporate system of a parent and its affiliated companies;

(2) that has an existing contractual relationship with such parent or any such affiliated company; and

(3) whose risks are managed by a pure captive insurance company.

(l)(l) "Department" means the Kansas insurance department.

(m)(m) "Domestic" means any insurance company formed under the laws of the state of Kansas.

(n) "Fidfin trust" means the same as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.

(o) "In-kind asset" means:

(1) Any loan, financing or extension of credit, including to an affiliated fidfin trust, originated by a technology-enabled fiduciary financial institution;

(2) one or more equity interests in one or more investment funds, each an interest in an investment fund, or one or more equity interests in one or more technology-enabled fiduciary financial institutions;

(3) any loan, financing or extension of credit secured by the pledge of equity of one or more interests in an investment fund or the cash flow derived therefrom;

(4) any other assets that serve as collateral securing such loans, equity or debt financing or extensions of credit described in this subsection; and

(5) any beneficial interests in trusts that own assets described in this subsection that are held by an insurance company for the purpose of enabling such insurance company to meet its obligations to make claim payments under payment-in-kind policies by delivering such assets.

(p)(p) "Insurer" means the same as "insurance company" as that term is defined in K.S.A. 40-222c, and amendments thereto.

(q) "Interest in an investment fund," "equity interest in an investment fund" and terms of similar import mean the ownership or contractual rights to the economics, directly or indirectly, of an investment fund, including pursuant to economic direction agreements, contractual rights, interests and entitlements to any economics derived from an investment fund.

(r) "Investment fund" means any collective investment vehicle, whether organized as a limited partnership, limited liability company or in some other form, and whether organized in the United States or a foreign jurisdiction, when the interests in such vehicle qualify as alternative assets as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.

(s) "Investor in an investment fund" and terms of similar import means any party who owns an interest in an investment fund.

(t) "Manager" means with respect to an investment fund, the general partner of a limited partnership, the manager of a limited liability company, any person with equivalent authority in a similar business entity or any investment manager who manages the investments of an investment fund pursuant to a contract.

(u)(u) "Member organization" means any individual, corporation, limited liability company, partnership, association or other entity that belongs to an association.

(v)(v) "Natural person" means a human being.

(w)(w) "Organizational documents" means the captive insurance company's articles of organization, bylaws, operating agreement or other foundational document that establishes the captive insurance company as a legal entity or prescribes its existence.

(x)(x) "Parent" means a corporation, partnership or individual that directly or indirectly owns, controls or holds with power to vote more than 50% of the outstanding voting securities or other voting interest of a pure captive insurance company, or as assigned in the plan of operation.

(y) "Payment-in-kind policy" means a policy that, along with any applicable schedules, is required to be in writing and which satisfies the following conditions:

(1) The policyholder of such policy is a qualified policyholder;

(2) is issued by a technology-enabled fiduciary financial institution insurance company or an insurance company organized in a jurisdiction other than Kansas;

(3) provides that such insurance company has the option, in such insurance company's sole discretion, to make claim payments, in whole or in part, in cash or in the form of in-kind assets rather than cash pursuant to schedules attached to the policy as required by this subsection and agreed to in writing by the qualified policyholder;

(4) provides for such payment-in-kind policy to be fully enforceable in accordance with such policy's terms and this subsection;

(5) may provide for such payment-in-kind policy or provisions relating to in-kind assets and payments thereof to be governed by, and construed in accordance with, the laws of the state of Kansas and such policy or provisions shall control over any contrary provision of state law regarding conflict of laws and any such provision shall be fully enforceable;

(6) may provide that any suit, action or proceeding arising out of or relating to such payment-in-kind policy shall be brought in any district court of this state or the United States district court for the district of Kansas and any such provision shall be fully enforceable;

(7) may be a contract of suretyship or credit insurance in accordance with section 1, and amendments thereto;

(8) contains one or more schedules to such payment-in-kind policy that sets out a description of the specific in-kind assets that the insurance company may deliver to the qualified policyholder to make claim payments as agreed to in writing by the qualified policyholder;

(9) may include a copy of the governing documents in effect at the time of issuance of such payment-in-kind policy of any legal entity that is the issuer of or obligor under such in-kind assets;

(10) includes a provision that the qualified policyholder agrees that the insurance company has no obligation to provide, and the qualified policyholder has no additional rights to, any further disclosure regarding the in-kind assets and shall not rely on any other disclosures provided by the insurance company other than the disclosure required by this subsection;

(11) includes a provision that the qualified policyholder agrees that such insurance company has no obligation to make claim payments in any form other than the in-kind assets specified in such schedules;

(12) requires the qualified policyholder to acknowledge that such insurance company has no obligation to deliver to such qualified policyholder any underlying assets in the chain of ownership below the in-kind assets specified in such schedules; and

(13) requires the qualified policyholder to acknowledge that:

(A) Such qualified policyholder has no recourse against the insurance company with respect to any in-kind assets other than those in-kind assets scheduled and attached to such payment-in-kind policy; and

(B) any such recourse shall be limited to only those scheduled in-kind assets that the insurance company, in the insurance company's sole discretion, makes available to such qualified policyholder as an in-kind payment in response to a claim initiated by such qualified policyholder.

(z)(z) "Person" means a natural person, partnership, trust, estate,

association, corporation, limited liability company, custodian, nominee or other individual or entity in its own or any representative capacity, in each case whether domestic, foreign or alien.

(¶)(aa) “Personal lines of insurance” means personal motor vehicle, homeowner’s insurance coverage, residential fire insurance or any component thereof.

(†)(bb) “Pure captive insurance company” means any company that insures risks of its parent and affiliated companies and controlled unaffiliated business.

(cc) “Qualified policyholder” means:

- (1) An affiliated fidfin trust;
- (2) the owner or deemed owner of an affiliated fidfin trust if such affiliated fidfin trust has a certificate of ownership;
- (3) a qualified purchaser as defined in section 2(a)(51) of the federal investment company act of 1940, as in effect on July 1, 2022; or
- (4) an institutional investor as defined in the Kansas uniform securities act.

(§)(dd) “Risk retention group” means a captive insurance company organized under the laws of the state of Kansas pursuant to the liability risk retention act of 1986, 15 U.S.C. § 3901 et seq., as amended, as a stock or mutual corporation, a reciprocal or other limited liability entity.

(ee) “Technology-enabled fiduciary financial institution” means the same as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.

(ff) “Technology-enabled fiduciary financial institution insurance company” means a pure captive insurance company that:

- (1) Is related to a technology-enabled fiduciary financial institution by common ownership; or
- (2) owns, directly, indirectly or beneficially at least 5% of the equity interests of a technology-enabled fiduciary financial institution, including any equity interests in such technology-enabled fiduciary financial institution’s holding company. In calculating a technology-enabled fiduciary financial institution insurance company’s ownership of a technology-enabled fiduciary financial institution:

(A) Both voting and nonvoting equity interests shall be included in such calculation; and

(B) any equity interests of the technology-enabled fiduciary financial institution owned by an affiliate of such technology-enabled fiduciary financial institution insurance company shall be attributed to such technology-enabled fiduciary financial institution insurance company.

(gg) “Technology-enabled fiduciary financial institution policy” means a contract of insurance or suretyship issued by a technology-enabled fiduciary financial institution insurance company.

(hh) “Technology-enabled fiduciary financial institution policyholder” means the:

- (1) Insured, in the case of a technology-enabled fiduciary financial institution policy that is a contract of insurance; or
- (2) obligee, in the case of a technology-enabled fiduciary financial institution policy that is a contract of suretyship.

Sec. 3. K.S.A. 40-4302 is hereby amended to read as follows: 40-4302. (a) Any captive insurance company, when permitted by its organizational documents, may apply to the commissioner for a certificate of authority to do any and all insurance comprised in K.S.A. 40-901 et seq., 40-1102(1)(a), (1)(c) through (1)(n), and amendments thereto, and to issue life, accident and health insurance policies provided that:

(1) No pure captive insurance company shall insure any risks other than those of its parent and affiliated companies and, upon prior approval of the commissioner, any controlled unaffiliated business up to 5% of total direct written premium;

(2) no association captive insurance company shall insure any risks other than those of its association and those of the member organizations of its association. No association captive insurance company shall expose itself to loss on any one risk or hazard in an amount exceeding 10% of its paid-up capital and surplus;

(3) no captive insurance company shall provide personal lines of insurance, workers’ compensation, employers’ liability insurance coverage, long-term care coverage, critical care coverage, surety, title insurance, credit insurance or any component thereof, *except that a technology-enabled fiduciary financial institution insurance company shall be permitted to provide contracts of suretyship and credit insurance in accordance with section 1, and amendments thereto;*

(4) no captive insurance company shall accept or cede reinsurance except as provided in K.S.A. 40-4311, and amendments thereto;

(5) no captive insurance company shall provide accident and health, life insurance or annuities on a direct basis;

(6) no captive insurance company authorized as a life insurance company shall transact business other than life insurance; and

(7) no captive insurance company authorized to transact business

under article 9 or 11 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, shall engage in the business of life insurance.

(b) No captive insurance company organized under the laws of this state shall do any insurance business in this state unless:

(1) It first obtains from the commissioner a certificate of authority authorizing it to do insurance business in this state;

(2) its board of directors, members, partners, managers, committee of managers or other governing body holds at least one meeting each year in this state;

(3) it maintains its principal place of business in this state; and

(4) it authorizes the commissioner to accept service of process on its behalf in accordance with K.S.A. 40-218, and amendments thereto.

(c) Before receiving a certificate of authority, an applicant captive insurance company shall file with the commissioner:

(1) A copy of the applicant captive insurance company’s organizational documents; and

(2) a plan of operation or a feasibility study describing the anticipated activities and results of the applicant captive insurance company that shall include:

(A) The company’s loss prevention program of its parent and insureds, as applicable;

(B) historical and expected loss experience of the risks to be insured or reinsured by the applicant captive insurance company;

(C) pro forma financial statements and projections of the proposed business operations of the applicant captive insurance company;

(D) an analysis of the adequacy of the applicant captive insurance company’s proposed premiums, assets and capital and surplus levels relative to the risks to be insured or reinsured by the captive insurance company;

(E) a statement of the applicant captive insurance company’s net retained limited liability on any contract of insurance or reinsurance it intends to issue and the nature of any reinsurance it intends to cede;

(F) a statement certifying that the applicant captive insurance company’s investment policy is in compliance with this act and specifying the type of investments to be made;

(G) a statement identifying the geographic areas in which the applicant captive insurance company intends to operate;

(H) a statement identifying the persons or organizations that will perform the applicant captive insurance company’s major operational functions, including management, underwriting, accounting, asset investment, claims adjusting and loss control and the adequacy of the expertise, experience and character of such persons or organizations; and

(I) whenever required by the commissioner, an appropriate opinion by a qualified independent actuary regarding the adequacy of the applicant captive insurance company’s proposed capital, surplus and premium levels;

(3) a description of the coverages, deductibles, coverage limits, rates and forms, together with any additional information that the commissioner may require;

(4) such other items deemed relevant by the commissioner in ascertaining whether the proposed captive insurance company will be able to meet its obligations; and

(5) any modification or change in the items required under this subsection that shall require the prior approval of the commissioner.

(d) Each captive insurance company not in existence on January 1, 2018, shall pay to the commissioner a nonrefundable fee of \$10,000 for examining, investigating and processing its application for a certificate of authority. The commissioner is authorized to retain legal, financial, actuarial, analysis and examination services from outside the department, the reasonable costs of which shall be charged against the applicant. In addition, it shall pay a renewal fee for each year thereafter of \$10,000.

(e) Each captive insurance company already in existence on January 1, 2018, shall pay an annual renewal fee of \$110 until January 1, 2028, after which date the provisions of subsection (d) shall apply.

(f) If the commissioner is satisfied that the documents and statements that such captive insurance company has filed comply with the provisions of this act, the commissioner may grant a certificate of authority authorizing it a:

(1) Captive insurance company other than a technology-enabled fiduciary financial institution to do insurance business in this state until March 1 thereafter, which certificate of authority may be renewed; and

(2) technology-enabled fiduciary financial institution insurance company to do insurance business in this state until the later of March 1 thereafter or the maturity date of the last payment-in-kind asset held by such technology-enabled fiduciary financial institution insurance company pursuant to this act.

(continued)

(g) Information submitted under this section shall be and remain confidential, and shall not be made public by the commissioner or any employee or agent of the commissioner without the written consent of the company, except that:

(1) Such information may be discoverable by a party in a civil action or contested case to which the captive insurance company that submitted such information is a party, upon a showing by the party seeking to discover such information that:

(A) The information sought is relevant to and necessary for the furtherance of such action or case;

(B) the information sought is unavailable from other non-confidential sources; ~~and~~

(C) a subpoena issued by a judicial or administrative officer or competent jurisdiction has been submitted to the commissioner; and

(D) *the privacy of a qualified policyholder shall be protected in any court proceeding concerning such qualified policyholder if the technology-enabled fiduciary financial institution insurance company so petitions the court. Upon the filing of such petition, any information, including, but not limited to, an instrument, inventory, statement or verified report produced by the technology-enabled fiduciary financial institution insurance company regarding a policy issued to a qualified policyholder or payment-in-kind assets held by the technology-enabled fiduciary financial institution insurance company to satisfy claims of such qualified policyholder, all payment-in-kind policies, all petitions relevant to such information and all court orders thereon, shall be sealed upon filing and shall not be made a part of the public record of the proceeding, except that such petition shall be available to the court, the commissioner, the technology-enabled fiduciary financial institution insurance company, their attorneys and to such other interested persons as the court may order upon a showing of good cause;*

(2) the commissioner may disclose such information to a public officer having jurisdiction over the regulation of insurance in another state, provided that:

(A) Such public official shall agree in writing to maintain the confidentiality of such information; and

(B) the laws of the state in which such public official serves requires such information to be and to remain confidential; ~~and~~

(3) access may also be granted to the national association of insurance commissioners and its affiliates, and the international association of supervisors and its affiliates. Such parties must agree in writing prior to receiving the information to provide to it the same confidential treatment as required by this section, unless the company gives prior written consent; *and*

(4) *the privacy of those who have established an affiliated fidfin trust or alternative asset custody account shall be protected in any court proceeding concerning such trust or custody account if the acting trustee, custodian, trustor or any beneficiary so petition the court. Upon the filing of such a petition, the instrument, inventory, statement filed by any trustee or custodian, annual verified report of the trustee or custodian and all petitions relevant to trust administration and all court orders thereon shall be sealed upon filing and shall not be made a part of the public record of the proceeding, except that such petition shall be available to the court, the trustor, the trustee, the custodian, any beneficiary, their attorneys and to such other interested persons as the court may order upon a showing of good cause.*

Sec. 4. K.S.A. 40-4303 is hereby amended to read as follows: 40-4303. (a) The word "captive" shall be incorporated into the name of every captive insurance company organized under the laws of this state. No captive insurance company shall adopt a name that is the same, deceptively similar or likely to be confused with or mistaken for any other existing business name registered in the state of Kansas.

(b) *The provisions of subsection (a) shall not apply to a technology-enabled fiduciary finance insurance company if such insurance company complies with the provisions of section 1(d), and amendments thereto.*

Sec. 5. K.S.A. 40-4310 is hereby amended to read as follows: 40-4310. (a) Captive insurance companies shall comply with:

(1) *Except for any payment-in-kind assets held by a technology-enabled fiduciary financial institution insurance company, the investment requirements contained in articles 2a and 2b of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, as applicable; and*

(2) such investment requirements as may otherwise be approved by the commissioner upon application by any such captive insurance company.

(b) Investments of association captive insurance companies shall be valued in accordance with the valuation procedures established by the national association of insurance commissioners, except to the extent it is inconsistent with the accounting standards in use by the company and approved by the commissioner.

(c) *Insurance companies organized in a jurisdiction other than Kansas*

and Kansas technology-enabled fiduciary financial institution insurance companies may hold in-kind assets in accordance with section 1, and amendments thereto, and any such in-kind assets required to be held shall be counted as part of the reserves, capital and surplus of such insurance companies required for the primary and predominant business activity of the writing of insurance or the reinsuring of risks underwritten by technology-enabled fiduciary financial institution insurance companies.

(d) *A technology-enabled fiduciary financial institution insurance company shall be permitted to hold equity interests in an affiliated technology-enabled fiduciary financial institution.*

Sec. 6. K.S.A. 40-4353 is hereby amended to read as follows: 40-4353. K.S.A. 40-4301 through 40-4304, 40-4306 through 40-4315, 40-4317 ~~and 40-4318 and K.S.A. 40-4319~~ through 40-4353, and amendments thereto, and section 1, and amendments thereto, shall be known and may be cited as the captive insurance act.

Sec. 7. K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 050043

State of Kansas

Real Estate Appraisal Board

Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 10:00 a.m. Friday, June 17, 2022, at Jayhawk Tower, 700 SW Jackson, Suite 804, Topeka, KS 66603, to consider the adoption of K.A.R. 117-4-1. In the event the hearing needs to be held remotely instead of in person, this information will be provided on the Board's website.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Jayhawk Tower, 700 SW Jackson, Suite 804, Topeka, KS 66603 or via email to sally.pritchett@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sally Pritchett at 785-296-6736 or sally.pritchett@kreab.ks.gov.

The proposed regulation is for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

117-4-1. Residential classification; education requirements. This regulation is being amended as a clean up of current regulation to comply with Appraisal Qualification Board's minimum criteria in order for the KREAB to be in compliance, provide applicants with options for meeting the college level education, as well as allowing an alternative to the college level education for state licensees to upgrade.

There will be no economic impact to this agency, or other governmental agencies or appraisers.

Copies of this regulation and the economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board at 785-296-6736, 785-368-6443 (fax), sally.pritchett@ks.gov, or <http://www.kansas.gov/kreab>.

Sally Pritchett
Executive Director

Doc. No. 050016

State of Kansas

Kansas Commission on Peace Officers' Standards and Training

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:00 a.m. Thursday, June 16, 2022, at the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas, to consider the adoption of proposed rules and regulations of the Commission, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, KS 67203 or by email to dschroeder@kscpost.org. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements 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 Doug Schroeder at 316-832-9906 or dschroeder@kscpost.org. The Kansas Commission on Peace Officer's Standards and Training office building is accessible. Handicapped parking is located on the east side of the building.

Summaries of the proposed regulations and their economic impact follow. (Note: Statements indicating that a regulation is "not anticipated to have any economic impact" are intended to indicate that no economic impact on the Kansas Commission on Peace Officers' Standards and Training, other state agencies, state employees, or the general public has been identified.)

Copies of the proposed regulations and Economic Impact Statements for the proposed regulations can be viewed at <http://www.kscpost.org>.

K.A.R. 106-2-1. General definitions. Amends definition of "Official document or official communication" to include an internal or criminal investigation conducted

by a law enforcement agency or training school. This regulation is not anticipated to have any economic impact.

K.A.R. 106-1-9. Continuing education or training. This new regulation defines the annual continuing education or training period for law enforcement officers as July 1 of the year in which the requirement arises through June 30th of the following year. This regulation is not anticipated to have any economic impact.

K.A.R. 106-2-2b. Reporting criminal offenses. This new regulation requires certified law enforcement officers to self-report if the individual has been arrested, cited, or charged with a criminal offense that would be grounds for discipline. Reporting is mandated on a form provided by the director within 10 days after arrest or discovery of the filing of the criminal proceeding. This regulation is not anticipated to have any economic impact.

K.A.R. 106-2-3. Unprofessional conduct. This amended regulation adds intentionally using false or deceptive statements to gain employment or certification as a law enforcement officer and engaging in academic misconduct while attending a basic training course to the definition of unprofessional conduct. This regulation is not anticipated to have any economic impact.

Doug Schroeder
Executive Director

Doc. No. 050025

State of Kansas

Secretary of State

Permanent Administrative Regulations

Article 30.—SESSION LAWS

7-30-1. (Authorized by and implementing K.S.A. 1990 Supp. 45-107; effective May 1, 1982; amended May 1, 1987; amended July 1, 1991; revoked April 29, 2022.)

Article 32.—LAW BOOKS

7-32-1. (Authorized by and implementing K.S.A. 75-436; effective May 1, 1984; amended July 1, 1991; amended, T-7-7-1-92, July 1, 1992; amended Aug. 31, 1992; amended Aug. 18, 2000; revoked April 29, 2022.)

7-32-2. (Authorized by and implementing K.S.A. 77-430; effective July 1, 1991; amended Aug. 18, 2000; revoked April 29, 2022.)

Article 35.—CENSUS ADJUSTMENT

7-35-1. (Authorized by K.S.A. 11-305; implementing Article 10, Section 1 of the Kansas Constitution and K.S.A. 11-303; effective Dec. 11, 1989; amended, T-7-9-13-99, Sept. 13, 1999; amended Jan. 7, 2000; revoked April 29, 2022.)

7-35-2. (Authorized by K.S.A. 11-305; implementing Article 10, Section 1 of the Kansas Constitution and K.S.A. 11-303; effective Dec. 11, 1989; amended, T-7-9-13-99, Sept. 13, 1999; amended Jan. 7, 2000; revoked April 29, 2022.)

Scott Schwab
Secretary of State

Doc. No. 050028

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2021 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

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AGENCY 4: DEPARTMENT OF AGRICULTURE

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4-8-13	Amended	V. 40, p. 320
4-8-14a	Amended	V. 40, p. 320
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4-8-31	Amended	V. 40, p. 320
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4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
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4-8-40	Amended	V. 40, p. 321
4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
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4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-24	Amended (T)	V. 40, p. 1322
4-34-24	Amended	V. 40, p. 1663
4-34-25	Amended (T)	V. 40, p. 1323
4-34-25	Amended	V. 40, p. 1664
4-34-29	Amended (T)	V. 40, p. 1324
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AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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5-19-3	New	V. 40, p. 1681
5-19-4	New	V. 40, p. 1682
5-19-5	New	V. 40, p. 1682

AGENCY 7: SECRETARY OF STATE

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7-48-1	New	V. 40, p. 263

AGENCY 10: BUREAU OF INVESTIGATION

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10-22-1	Amended	V. 41, p. 152

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

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17-24-2	Amended	V. 41, p. 185

AGENCY 21: HUMAN RIGHTS COMMISSION

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21-41-1	Revoked	V. 40, p. 265
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21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
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21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

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22-26-2	New (T)	V. 40, p. 1035
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22-26-4	New (T)	V. 40, p. 1036
22-26-5	New (T)	V. 40, p. 1037
22-26-5	New	V. 40, p. 1446
22-26-6	New (T)	V. 40, p. 1037
22-26-6	New	V. 40, p. 1446
22-26-7	New (T)	V. 40, p. 1037
22-26-7	New	V. 40, p. 1446
22-26-8	New (T)	V. 40, p. 1037
22-26-8	New	V. 40, p. 1447
22-26-9	New (T)	V. 40, p. 1038
22-26-9	New	V. 40, p. 1447
22-26-10	New (T)	V. 40, p. 1038
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22-26-11	New (T)	V. 40, p. 1038
22-26-11	New	V. 40, p. 1447
22-26-12	New (T)	V. 40, p. 1039
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28-18-16	Amended	V. 40, p. 1551
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28-18a-4	Amended	V. 40, p. 1187
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Reg. No.	Action	Register
88-29-12	Revoked	V. 41, p. 83
88-29-13	Revoked	V. 41, p. 83
88-29-14	Revoked	V. 41, p. 83
88-29-15	Revoked	V. 41, p. 83
88-29-16	Revoked	V. 41, p. 83
88-29-17	Revoked	V. 41, p. 83
88-29a-1	Revoked	V. 41, p. 83
88-29a-5	Revoked	V. 41, p. 83
88-29a-6	Revoked	V. 41, p. 83
88-29a-7	Revoked	V. 41, p. 83
88-29a-7a	Amended	V. 41, p. 83
88-29a-8	Revoked	V. 41, p. 84
88-29a-8c	Revoked	V. 41, p. 84
88-29a-9	Revoked	V. 41, p. 84
88-29a-10	Revoked	V. 41, p. 84
88-29a-11	Revoked	V. 41, p. 84
88-29a-18	Revoked	V. 41, p. 84
88-29a-19	Revoked	V. 41, p. 84
88-29b-1	Revoked	V. 41, p. 84
88-29b-3	Amended	V. 41, p. 84
88-29b-4	Amended	V. 41, p. 84
88-29b-5	Revoked	V. 41, p. 85
88-29b-6	Revoked	V. 41, p. 85
88-29b-7	Revoked	V. 41, p. 85
88-29b-7a	Amended	V. 41, p. 85
88-29b-8	Revoked	V. 41, p. 85
88-29b-8c	Revoked	V. 41, p. 85
88-29b-9	Revoked	V. 41, p. 85
88-29b-10	Revoked	V. 41, p. 85
88-29c-1	Amended	V. 41, p. 85
88-29c-5	Amended	V. 41, p. 86
88-29c-6	Amended	V. 41, p. 87
88-29c-7	Amended	V. 41, p. 87
88-29c-8	Amended	V. 41, p. 87
88-29c-8c	Amended	V. 41, p. 88
88-29c-9	Amended	V. 41, p. 88
88-29d-1	Amended	V. 41, p. 89
88-29d-5	Amended	V. 41, p. 90
88-29d-6	Amended	V. 41, p. 91
88-29d-7	Amended	V. 41, p. 91

88-29d-8	Amended	V. 41, p. 92
88-29d-8c	Amended	V. 41, p. 92
88-29d-9	Amended	V. 41, p. 92
88-29d-10	Amended	V. 41, p. 93

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-31-31	Amended	V. 40, p. 1399
91-31-32	Amended	V. 40, p. 1401
91-31-33	Amended	V. 40, p. 1401
91-31-34	Amended	V. 40, p. 1401
91-31-35	Amended	V. 40, p. 1402
91-31-36	Amended	V. 40, p. 1402
91-31-37	Amended	V. 40, p. 1403
91-31-38	Amended	V. 40, p. 1403
91-31-39	Revoked	V. 40, p. 1403
91-31-40	Amended	V. 40, p. 1403
91-31-41	Amended	V. 40, p. 1404
91-31-42	Amended	V. 40, p. 1404
91-31-43	New	V. 40, p. 1404

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-47	Revoked	V. 40, p. 290
92-19-67	Revoked	V. 40, p. 290
92-51-34a	Amended	V. 40, p. 1225

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 40, p. 571
100-6-2a	New	V. 40, p. 290
100-6-7	New (T)	V. 40, p. 1321
100-6-7	New	V. 40, p. 1490
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-28a-5	Amended	V. 40, p. 1096
100-28a-16	Amended	V. 40, p. 1097

AGENCY 108: STATE EMPLOYEE HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 40, p. 1714
108-1-3	Amended	V. 40, p. 1716
108-1-4	Amended	V. 40, p. 1718

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 40, p. 1721
109-2-1	Amended	V. 40, p. 1723
109-3-1	Revoked	V. 40, p. 1723
109-3-3	Amended	V. 40, p. 1522
109-3-5	Amended	V. 40, p. 1524
109-5-1	Amended	V. 40, p. 1723
109-5-3	Amended	V. 40, p. 1724
109-5-6	Amended	V. 40, p. 1724
109-6-2	Amended	V. 40, p. 1724
109-6-4	New	V. 40, p. 1724
109-7-1	Amended	V. 40, p. 1725
109-10-3	Revoked	V. 40, p. 1725
109-10-6	Revoked	V. 40, p. 1725
109-10-7	Revoked	V. 40, p. 1725
109-11-1a	Amended	V. 40, p. 1725
109-11-3a	Amended	V. 40, p. 1726
109-11-4a	Amended	V. 40, p. 1726
109-11-6a	Amended	V. 40, p. 1726
109-11-7	Amended	V. 40, p. 1727
109-11-8	Amended	V. 40, p. 1727
109-11-9	Revoked	V. 40, p. 1727
109-15-1	Amended	V. 40, p. 1727
109-15-2	Amended	V. 40, p. 1728
109-15-3	New	V. 40, p. 1728

109-17-1	New	V. 40, p. 1729
109-17-2	New	V. 40, p. 1730
109-17-3	New	V. 40, p. 1730
109-17-4	New	V. 40, p. 1731

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*.

Reg. No.	Action	Register
111-4-3681	Amended	V. 41, p. 225
111-4-3695	New	V. 41, p. 225
111-4-3696	New	V. 41, p. 227
111-4-3697	New	V. 41, p. 228
111-4-3698	New	V. 41, p. 229
111-4-3690	New	V. 41, p. 230
111-4-3700	New	V. 41, p. 231
111-4-3701	New	V. 41, p. 233
111-4-3702	New	V. 41, p. 234
111-4-3703	New	V. 41, p. 362
111-4-3704	New	V. 41, p. 363
111-4-3705	New	V. 41, p. 364
111-4-3706	New	V. 41, p. 365
111-4-3707	New	V. 41, p. 366
111-4-3708	New	V. 41, p. 497
111-4-3709	New	V. 41, p. 499
111-5-248	New	V. 41, p. 502
111-9-229	New	V. 41, p. 502
111-9-230	New	V. 41, p. 503
111-19-2a	Amended	V. 41, p. 503
111-19-121	New	V. 41, p. 368
111-19-122	New	V. 41, p. 368
111-19-123	New	V. 41, p. 504

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 40, p. 498
115-3-1	Amended	V. 40, p. 1131
115-3-2	Amended	V. 40, p. 721
115-4-4	Amended	V. 40, p. 1132
115-4-4a	Amended	V. 40, p. 1683
115-4-6	Amended	V. 40, p. 500
115-8-1	Amended	V. 40, p. 1133
115-9-6	Amended	V. 40, p. 721
115-17-2	Amended	V. 40, p. 1683

115-18-13 Revoked V. 40, p. 721
 115-30-3 Amended V. 40, p. 1684

**AGENCY 117: REAL ESTATE
 APPRAISAL BOARD**

Reg. No.	Action	Register
117-8-3	Amended	V. 40, p. 920

**AGENCY 132: 911
 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-1-1	Revoked	V. 40, p. 1422
132-1-2	New	V. 40, p. 1422
132-2-1	Amended	V. 40, p. 1422

132-3-1	Amended	V. 40, p. 1422
132-4-1	Amended	V. 40, p. 1422
132-4-2	New	V. 40, p. 1423
132-4-3	New	V. 40, p. 1423
132-5-1	New	V. 40, p. 1423
132-6-1	New	V. 40, p. 1423

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