

MINUTES

JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION

May 29, 2008
Room 519-S—Statehouse

Members Present

Senator Dwayne Umbarger, Chairperson
Representative Joe Humerickhouse, Vice-Chairperson
Senator Pat Apple
Senator Greta Goodwin
Senator Laura Kelly
Representative Steve Brunk
Representative Bill Feuerborn
Representative Bob Grant
Representative JoAnn Pottorff

Member Absent

Senator Stephen Morris

Staff Present

Audrey Dunkel, Kansas Legislative Research Department
Kimbra Caywood McCarthy, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Mike Corrigan, Office of the Revisor of Statutes
Helen Abramson, Committee Assistant

Conferees

Richard Gaito, Department of Administration
Marilyn Jacobson, Department of Administration
Morey Sullivan, Division of Information Systems and Communications (DISC)
Joe Hennes, Division of Information Systems and Communications (DISC)
Jerry Sloan, Judicial Branch
Jennie Chinn, Kansas State Historical Society
Terry Marmet, Kansas State Historical Society
Robert Blecha, Kansas Bureau of Investigation

Others Attending

See attached list.

The meeting was called to order by Chairperson Dwayne Umbarger at 1:30 p.m.

The first item discussed was the approval of various 2007 and 2008 Committee minutes. The consensus of the members was to delay any action on this item until the July Committee meeting, which will allow time for the members to look over the minutes.

Richard Gaito, Deputy Director, Division of Facilities Management, Department of Administration (DOA), presented a lease for the DOA Division of Information Systems and Communications (DISC) – Wichita Data Center that also was presented to the Committee at the April 29, 2008 meeting ([Attachment 1](#)). At that time, Committee members requested no action be taken until further information was received. This three-year lease at 522 North Emporia Street, Wichita, Kansas is 2,500 square feet at an annual cost of \$46.08 per square foot. There also is a fee of \$55,200 for improvements (one time lump sum set-up fee).

Mr. Morey Sullivan presented information relative to lease of the Data Center space management summary ([Attachment 2](#)). DISC is trying to address two needs: one is the growing need of the Department of Social and Rehabilitation Services (SRS) and the fact that it is adding more devices, more computers, and more communications in the Wichita Office Building which was not built to accommodate a data center, and the other is that the Data Center fills the needs for a disaster recovery center. This would be the disaster recovery center for six of the biggest state agencies, in the event that an act would render the Landon State Office Building in Topeka useless.

Mr. Sullivan outlined reasons for the cost of \$46.00 per square foot. The cost is due to a number of things inherent in data centers, as they specifically are designed to house electronic equipment. Mr. Sullivan also outlined the history of this project starting with the request from SRS to DISC to construct a data center in the Finney State Office Building (FSOB) in Wichita. Due to cost and the immediate need for the data center space, other options were considered. DISC considered other buildings, including Wichita State University and some commercial properties that were conducive to construction of data centers. Attached to the information summary were: (1) a full report to Denise Moore on whether or not a data center was needed in the FSOB; (2) a status report that summarized the results of research into hosting centers or suitable space to construct a data center in Wichita; (3) a spreadsheet that reflects the selection criteria used to evaluate the various options described in number 2; and (4) Denise Moore's presentation to the Joint Committee on Information Technology relative to the state's ability to respond to disastrous events.

Mr. Sullivan remarked that eventually DISC would like to be located in a state owned facility such as Wichita State University. Therefore, this lease might be considered phase I.

Joe Hennes, DISC consultant, walked the Committee through pictures of equipment in a data center, and explained the need and use of the various pieces of equipment.

Mr. Sullivan remarked that the Wichita data center will fill a huge void in the business recovery plans for no less than 4 or 5 major agencies that presently do not have a place to recover their data processing. Considering the Kansas tornado season, DISC believes the urgency is high. Also, there are concerns about terrorist attacks or other enormous catastrophes, in addition to smaller events such as fire or water or equipment failures.

Committee discussion followed concerning national security, raised floors, and the ability to divide out heating and air-conditioning usage costs.

Representative Humerickhouse moved for the Committee's favorable review of the 3-year lease for the data center in Wichita. Senator Goodwin seconded. Motion carried.

Richard Gaito, DOA, presented a 5-year lease for the Kansas Judicial Branch (Ks. Lawyers Assistance Program) at 515 S. Topeka Blvd., Topeka, at a rate of \$13.37 annual cost per square foot (Attachment 3). The offices currently are located in Kansas City and will be relocated to Topeka as a program under the Judicial Branch. It is exempt from the standard bidding process required of state agencies for real estate leases. The lease being presented to the Committee today was not competitively bid. The lease being renewed is a five-year lease for 1,502 square feet and houses three FTE positions. The lease is a full-service lease except for custodial services. The base lease rate is within the normal rates for a full-service lease in this area. The lease exceeds the space standards of 210 - 250 square feet per FTE; it is currently at 501 square feet per FTE. The DOA has no position concerning this lease.

Jerry Sloan, Judicial Branch, explained that this was a new program five years ago. It became very successful and grew tremendously. At the time, the executive director was from Kansas City. He had been contemplating moving to Topeka for administrative purposes and to be better spread out over the state. Unfortunately, the executive director passed away in February while he was in the process of getting a new director, who is now on board and moving the office to Topeka. Part of the reason for the large amount of square footage is that there is a conference room, which provides space for the board to meet as well for interventions. There is no cost to the state for this lease, as it is all funded through attorneys' restorations.

Mr. Sloan said the Kansas City lease had run out shortly after the director died, and several months were spent looking at four or five places. The Judicial Branch ended up with a month-to-month lease prior to today's lease presentation.

Senator Kelly moved for the Committee's favorable review of the proposed lease for the Kansas Judicial Branch (Ks. Lawyers Assistance Program) in Topeka. Representative Grant seconded. Motion carried.

Jennie Chinn, Director of the Kansas Historical Society (KHS), presented a copy of the April 22, 2008 memorandum to Senators Umbarger and Wysong, and Representatives Schwartz and McLeland regarding the KHS's emergency request for capital improvement project funds for FY 2009 as a result of the recent failure of and continued repairs to the boilers for the steam humidification system in the Kansas Museum of History (Attachment 4). Three options were proposed: (1) repair or replace the existing boilers at an estimated cost of \$70,000, but the entire system will still require replacement, (2) system replacement with single construction contract estimated at \$476,370, (3) system replacement phased over multiple years at an estimated cost of \$641,644.

The KHS would like the Committee's support for the following plan. The agency currently has funds that were to be used as part of the museum repairs that included a new roof, replacement of damaged ceilings due to roof leakage, new duct work, and replacement of the cooling tower. All projects, with the exception of the replacement of the damaged ceilings, have been completed. The agency has approximately \$133,000 left over to complete the ceiling project. KHS proposes cutting back the ceiling project to replace only those ceilings that are in public spaces and leaving the damaged ceilings in the office areas. This would reduce the cost of the ceiling replacement to around \$33,000. KHS proposes using the remaining \$100,000 towards the new humidification system. This would allow \$40,000 to have the new system engineered before the next legislative session. The work would result in the creation of plans and specifications, as well as up-to-date cost

estimates for the replacement system. It also would leave approximately \$60,000 to put towards the project. KHS also would include a FY 2009 supplemental request for the remaining funds with their FY 2010 budget submission.

Committee discussion followed concerning the feasibility of constructing a separate facility to house items that need humidification, and whether damage might result to those items not in humidification in a short amount of time.

Representative Grant moved the Committee's favorable review of the KHS's proposal today concerning the ceiling project, engineering of a new humidification system, and seeking a FY 2009 supplement request. Representative Humerickhouse seconded. Motion carried.

Robert E. Blecha, Director, Kansas Bureau of Investigation, updated the Committee about the Building Complex proposal discussed in the November 2007 Building Committee meeting.

Senator Apple moved that the open meeting of the Joint Committee on State Building Construction be recessed for a closed, executive meeting pursuant to subsection (b) of K.S.A. 75-4319, to discuss matters relating to preliminary discussions concerning acquisition of real estate by the Attorney General-Kansas Bureau of Investigation with respect to matters which are under consideration by the Joint Committee on State Building Construction. The Joint Committee on State Building Construction shall resume the open meeting in Room 519-S of the Statehouse at 3:05 p.m., and if this motion is adopted, it shall be recorded in the minutes of the Joint Committee on State Building Construction and shall be maintained as part of the permanent records of the Committee. Representative Brunk seconded. Motion carried.

Chairperson Umbarger resumed the regular meeting.

Representative Feuerborn moved that the Committee review favorably for the Kansas Bureau of Investigation to proceed with its master plan. Representative Grant seconded. Motion carried.

The Committee set tentative meetings dates for the remainder of the year at 10:00 a.m. for the following dates:

- July 10;
- August 13;
- September 17;
- November 18;
- November 19 (9:00 a.m.); and
- December 8.

Chairperson Umbarger adjourned the meeting at 3:30 p.m.

Prepared by Helen Abramson
Edited by Kimbra Caywood McCarthy

Approved by Committee on:

August 13, 2008
(Date)