

**115-8-22 Concession operations on department lands; contracting provisions and restrictions.**

(a) Renewal of an existing concession contract without a competitive bid process shall be considered by the secretary for any concession contract if the gross income under the concession contract for the most recent full year of operation did not exceed \$25,000.

(b) Each concession contract renewed without a competitive bid process shall not exceed three years in duration.

(c) Subject to the provisions of subsection (a), any person operating a concession business under contract with the department upon department lands or waters may make written request for a concession contract renewal to the secretary. The request shall include the following information:

- (1) name and address of concession business owner or owners;
- (2) name and address of each concession business manager or operator;
- (3) location of concession operation with map attached showing such location;
- (4) current concession contract number and expiration date;
- (5) complete financial statement from the previous year's concession operation;
- (6) An operational plan for the requested contract renewal period; and
- (7) other information as required by the secretary.

(d) The renewal, renegotiation or re-establishment of a concession contract may be refused by the secretary if:

- (1) a loss of revenue or services to the department would result;
- (2) a reduction in the amount or quality of services available to the public would occur; or
- (3) the non-competitive bid process for establishment of the concession contract would not be in the best interest of the department or the public.

(e) The renewal of such concession contracts shall be on negotiated terms approved by the secretary and shall not be limited by any term, provision, restriction or condition of any previous contract or agreement. (Authorized by and implementing K.S.A. 1992 Supp. 32-807 as amended by L. 1993, Chapter 185, section 2; effective April 11, 1994.)