

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 10—Contractor Performance Rating to Determine Responsibility

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DEC 08 2016

SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED AMENDMENT

7 CSR 10-10.020 Explanation of Contractor Performance Rating System. The Missouri Highways and Transportation Commission is amending sections (1) and (2).

PURPOSE: This proposed amendment corrects the statement that the commission does prequalify bidders.

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(1) The commission has the obligation to award its contracts to only **responsive and** responsible bidders. The commission also has the duty to supervise and control the construction and maintenance of its state highway system. Inherent in these concepts, and in the commission's general obligation to the traveling public of this state, is that the commission must regulate those who construct the finished highway product. *[The commission does not prequalify persons or firms as responsible bidders and contractors.]* Therefore, it requires a system for evaluating the performance of those contractors working on commission projects.

(2) This contractor rating system is intended to help the commission periodically determine those contractors who are responsible or are nonresponsible and those responsible contractors whose outstanding or superior performance merits recognition by the commission. In the process, the rating system is intended to provide the contractors with evaluations of their work and information they can use to improve their performance *[and product on future commission projects]*.

AUTHORITY: sections 226.020, 227.030 and 227.100, RSMo 1986 and 226.130, RSMo Supp. 1993. * Original rule filed Dec. 31, 1990, effective July 8, 1991. Amended: Filed December 8, 2016.

**Original authority:* 226.020 and 227.030, RSMo 1939; 226.130, RSMo 1939, amended 1993; and 227.100, RSMo 1939, amended 1963, 1967, 1969.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pamela Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

JOINT COMMITTEE ON
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