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SECRETARY OF STATE
ADMINISTRATIVE RULES

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

PROPOSED AMENDMENT

7 CSR 10-10.030 Rating Categories for Evaluating the Performance of a Contractor. The Missouri Highways and Transportation Commission is amending sections (2) and (3).

PURPOSE: This proposed amendment provides clarification to the rating process.

(2) Each [project evaluation performance measure will be] of the four (4) categories will include performance and compliance questions that will be assigned [to a category and will have an applicable percentage deduct for non-performer. Performance measure responses will be completed according to the guidelines shown on the project evaluation] scoring criteria. Not all [performance measures] questions will be applicable on each project's evaluation and will, therefore, not be completed.

(3) A contractor's individual category rating is obtained by subtracting the [total percentage deducts for the category or quality section from] scores determined in section (2) from one hundred percent (100%). The category ratings of the applicable sections for "Quality" and "Contract Compliance" will be based on the weighted average of the total dollar value of work completed during the rated period. The category ratings of the applicable sections for "Prosecution & Progress" and "Contract Administration" will be based on the weighted average of the applicable contract dollar values.

*AUTHORITY: sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000. * Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency amendment filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Amended: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed December 8, 2016.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939; and 227.105, RSMo 1996.*

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,

JOINT COMMITTEE ON

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*comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*