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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

COPY

**7 CSR 10-10.050 Procedure and Schedule for Completing the Contractor Performance Project Evaluation.** The Missouri Highways and Transportation Commission is amending section (3)(A).

*PURPOSE: This proposed amendment clarifies the intended use of an interim report.*

(3) Each contractor performance project evaluation shall be completed as an Interim Report, Annual Report, or Final Report. The report shall note which type of report it is. The following criteria govern each type of report and when it is completed:

(A) Interim Report. This midseason report is completed on all contractors currently on probation or which have been disqualified [when approximately fifty percent (50%) of the work on the project for the year is completed or by September 1, whichever comes first]. **This report can be completed at any time during the year.** An Interim Report [may also be completed at any time, at the discretion of the resident engineer or district engineer designee, for any contractor when there is a serious contractor performance concern regarding work quality/progress or contract administration/compliance on the project] **will not be used in a contractor's performance determination.** [The Interim Report is for informational purposes only.]

*AUTHORITY: sections 226.020, 226.130, 227.030 and 227.105, RSMo 2000.\* Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Amended: Filed Nov. 9, 1999, effective May 30, 2000. 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 dollars (\$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.*