

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 24—Design-Build Project Contracts

7 CSR 10-24.050 Types of Projects in Which Design-Build Contracting May Be Used

PURPOSE: This rule provides for the types of projects in which design-build method may be used. ~~in determining a project “qualified” and how it applies to Intelligent Transportation System (ITS) projects.~~

(1) Subject to the provisions of 227.107, RSMo Supp. 2004, the design-build contracting technique may be used for any ~~qualified or nonqualified~~ project which the commission deems to be appropriate on the basis of project delivery time, cost, construction schedule and/or quality.

~~(2) The use of the term “qualified project” does not limit the use of design-build contracting by the commission. It merely determines the Federal Highway Administration’s (FHWA’s) procedures for approval. The division administrator may approve the design-build method for a “qualified project” which meets the requirements of this chapter.~~

~~(23)~~ The FHWA division administrator may also approve other design-build projects ~~(which do not meet the “qualified projects” definition)~~ by using Special Experimental Projects No. 14 (SEP-14), “Innovative Contracting Practices,” provided the project meets the conditions requirements of this chapter. Projects that do not meet the conditions requirements of this chapter, ~~(either “qualified or nonqualified” projects)~~ must be submitted to the FHWA for conceptual approval. Special Experimental Projects No. 14 “Innovative Contracting Practices,” is incorporated by reference into and made a part of this rule as published by the United States Department of Transportation Federal Highway Administration, 1200 New Jersey Ave. SE, Washington, D.C. 20590, website: <http://fhwa.dot.gov> in December, 1991. This rule does not incorporate any subsequent amendments or additions to the Special Experimental Projects No. 14” Innovative Contracting Practices.”

~~(4) As a consequence of these differences in FHWA procedures, Missouri Department of Transportation (MoDOT) procedures will vary to comply with FHWA procedures.~~

~~(5) For the purpose of this chapter, a federal aid ITS design-build project meets the criteria of a “qualified project” if:~~

~~(A) A majority of the scope of services provides ITS services (at least fifty percent (50%) of the scope of work is related to ITS services); and~~

~~(B) The estimated contract value exceeds five (5) million dollars.~~

AUTHORITY: sections 226.020, RSMo 2000 and 226.030 and 227.107, RSMo Supp. 2004.*
Original rule filed Aug. 15, 2005, effective Feb. 28, 2006.

*Original authority: 226.020, RSMo 1939; 226.030, RSMo 1939, amended 1965, 2003, 2004; and 227.107, RSMo 2002.