

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

7 CSR 10-24.110 Solicitation Procedures for Competitive Proposals

PURPOSE: This rule provides the elements included in phase one and phase two solicitation procedures.

- (1) The first phase ~~shall~~ consists of a short listing based on a Request for Qualification (RFQ).
- (2) The second phase ~~shall~~ consists of the receipt and evaluation of price and technical proposals in response to a Request for Proposal (RFP).
- (3) The commission may include the following items in any phase one solicitation:
 - (A) The scope of the work;
 - (B) The cost estimate of the design-build project;
 - (C) The project completion date; and
 - (D) The requirement of a detailed disadvantaged business enterprise (DBE) participation plan including:
 1. Information describing the experience of the proposer in meeting DBE participation goals;
 2. How the proposer will meet the commission DBE participation goal; and
 3. Such other qualifications that the commission considers to be in the best interest of the state as stated in the RFQ;
 - (E) The phase one evaluation factors and their relative weights, including:
 1. Technical approach (but not detailed design or technical information);
 2. Technical qualifications, such as:
 - A. Specialized experience and technical competence;
 - B. The capability of proposers to perform, including key personnel; and
 - C. Past performance of the members of the proposer's team, including the architect-engineer and construction members;
 3. Other appropriate factors, excluding cost or price related factors which are not permitted in phase one; and
 - (F) Phase two evaluation factors; and
 - (G) A statement of the maximum number of proposers that will be short-listed to submit phase two proposals.
- (4) The commission will include the requirements for separately submitted sealed technical proposals and price proposals in the phase two solicitation. All factors and significant subfactors that will affect contract award and their relative importance will be stated clearly in the solicitation. The commission will use its own procedures for the solicitation as long as it complies with the requirements of this section.

(5) The commission may allow proposers to submit alternate technical concepts in their proposals as long as these alternate concepts do not conflict with criteria agreed upon in the environmental decision making process. Alternate technical concept proposals may supplement, but not substitute for base proposals that respond to the RFP requirements.

AUTHORITY: sections 226.020, RSMo 2000 and 226.030 and 227.107, RSMo Supp. 2004.
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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.*