

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

7 CSR 10-24.140 Tradeoffs in Design-Build Contracting

PURPOSE: This rule describes when and how tradeoffs should be used in awarding a design-build contract and documentation of the tradeoff decisions.

(1) At its discretion, the commission may consider the tradeoff technique when it is desirable to award to other than the lowest priced proposer or other than the highest technically rated proposer.

(2) If the commission uses a tradeoff technique, the following will apply:

(A) All evaluation factors and significant subfactors that affect contract award and the factor's relative importance ~~must~~ will be clearly stated in the solicitation; and

(B) The solicitation ~~must~~ will also state, at a minimum, whether all evaluation factors other than cost or price, when combined, are:

1. Significantly more important than cost or price; or
2. Approximately equal in importance to cost or price; or
3. Significantly less important than cost or price.

(3) When tradeoffs are performed, the source selection records ~~must~~ will include the following:

(A) An assessment of each proposer's ability to accomplish the technical requirements; and

(B) A summary, matrix, or quantitative ranking, along with appropriate supporting narrative, of each technical proposal using the evaluation factors.

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.*