

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

7 CSR 10-24.200 Proposal Evaluation Factors

PURPOSE: This rule describes the selection of the proposal evaluation factors and the limitations on the selection and the possible inclusion of prequalification standards.

(1) The commission will select proposal evaluation factors for each design-build and modified design-build project.

(A) The proposal evaluation factors and significant subfactors will be tailored to the acquisition.

(B) Evaluation factors and significant subfactors will:

1. Represent the key areas of importance and emphasis to be considered in the source selection decision; and

2. Support meaningful comparison and discrimination between and among competing proposals.

(2) Limitations on the Selection and Use of Proposal Evaluation Factors Are as Follows:

(A) The selection of the evaluation factors, significant subfactors and their relative importance are within the commission's broad discretion subject to the following:

1. The commission will evaluate price in every source selection where construction is a significant component of the scope of work;

2. The commission will evaluate the quality of the product or service through consideration of one (1) or more nonprice evaluation factors. These factors may include (but are not limited to) such criteria as:

A. Compliance with solicitation requirements;

B. Completion schedule (contractual incentives and disincentives for early completion may be used where appropriate); or

C. Technical solutions;

3. The commission may evaluate past performance, technical experience and management experience;

4. The commission may include prequalification standards when the scope of the work involves very specialized technical expertise or specialized financial qualifications;

(B) All factors and significant subfactors that will affect contract award and their relative importance ~~must will~~ be stated clearly in the solicitation;

(C) Disadvantaged Business Enterprise (DBE) commitments exceeding the commission's stated goal will not be used as a proposal evaluation factor in determining the successful proposer.

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.