



**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 10—Contractor Performance Rating to Determine Responsibility**

PROPOSED AMENDMENT

7 CSR 10-10.090 Reservation of Rights to Recommend or Declare Persons or Contractors Nonresponsible on Other Grounds. The Missouri Highways and Transportation Commission is amending section (1).

PURPOSE: This amendment removes the reference to 7 CSR 10-10.030.

(1) Nothing in this chapter shall be construed to waive, limit or restrict the right of the department to determine that a contractor be declared nonresponsible[,] if [any individual rating on one (1) or more of the four (4) rating categories specified in 7 CSR 10-10.030 is so low that] there is cause to believe that the contractor cannot responsibly or competently perform contract work generally, or of a particular type or description. The department reserves the right to declare disqualified any contractor it finds to be incompetent or nonresponsible, with such terms and conditions governing the disqualification as it deems appropriate.

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 Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998.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 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 February 6, 2026.*

**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 or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Jennifer L. Jorgensen, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Jennifer.Jorgensen@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

