



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

PROPOSED AMENDMENT

7 CSR 10-10.020 Explanation of Contractor Performance Rating System. The Missouri Highways and Transportation Commission is amending sections (1) and (2) and deleting section (3).

PURPOSE: This amendment identifies the rating and recognition system.

(1) The commission has the obligation to award its contracts to only responsive and responsible bidders. The commission also has the duty to supervise and control the construction and maintenance of its state highway system. Inherent in these concepts, and in the commission's general obligation to the traveling public of this state, is that the commission must regulate those who construct the finished highway product. *[Therefore, it requires a system for evaluating the performance of those contractors working on commission projects.]*

(2) Th[is]e contractor rating system is intended to help the commission periodically determine *[those contractors who are responsible or are nonresponsible and]* those responsible contractors whose outstanding or superior performance merits recognition by the commission. *[In the process, the rating system is intended to provide the contractors with evaluations of their work and information they can use to improve their performance.]* **The focus of the recognition will be on excellence in partnering. At the start of each calendar year, contractors will have the opportunity to nominate projects they believe demonstrate outstanding partnerships. MoDOT will review the nominated projects and select those that will be recognized. The commission will be informed of contractors being recognized. The recognized contractors will be informed and invited to the annual meeting.**

[(3) These regulations also set forth the procedures governing how contractors who render unsatisfactory performance may be determined nonresponsible and ineligible to bid for work on commission projects and how nonresponsible contractors may be reinstated as responsible bidders or responsible contractors.]

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.100, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Amended: Filed February 6, 2026.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993; 227.030, RSMo 1939; and 227.100, RSMo 1939, amended 1963, 1967, 1969, 2002.*

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.

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By JCAR at 10:58 am, Feb 06, 2026

*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.*