



Missouri Highways and Transportation Commission Policies

Category: EXECUTION OF DOCUMENTS
Subcategory:

EXECUTION OF DOCUMENTS

General Provisions

The Commission recognizes the need to expeditiously complete business transactions with contractors, vendors, and others providing goods and services and, therefore, delegates authority for execution of contractual documents within its policies. However, all such delegations for execution of documents must be in keeping with the following:

1. **Unique, Sensitive, and/or Potentially Controversial Transactions:**
Notwithstanding the delegation of authority for approval and execution of documents within the MHTC Policies, all unique, sensitive, and/or potentially controversial transactions will be submitted to the Commission.
2. **Budget and Transportation Program Compliance:** The documents executed via the authority delegated within the MHTC Policies must not incur costs beyond those contemplated by the Commission-approved Statewide Transportation Improvement Program (STIP) and/or the MoDOT Operating Budget. The budget and STIP must be in compliance with the Commission's Debt Management Policy.
3. **Delegation of Authority for Execution of Documents:**
 - a. **Documents Related to Specific Commission Action** - The Director, Chief Engineer, Chief Financial Officer, and Assistant Chief Engineer (any one) are authorized to execute contracts on behalf of the Missouri Highways and Transportation Commission related to actions specifically taken by the Commission, except those involving the conveyance of property rights, which, in compliance with Section 227.290.1 RSMo, must be executed by the Chair or Vice Chair.
 - b. **Documents Related to Authority Delegated in MHTC Policies** - The Director, Chief Engineer, Chief Financial Officer, and Assistant Chief Engineer are each authorized to approve and execute documents and expend funds on behalf of the Missouri Highways and Transportation Commission subject to the provisions therein.
4. **Authority extended to Division Heads' and District Engineers' Immediate Assistants:** In those areas within the MHTC Policies where a Division head or District Engineer is authorized to execute documents and expend funds, like

authority is extended to the respective Division head's assistant(s), Assistant District Engineers, and Assistants to the District Engineer.

5. **Approval as to Form/Attestation/Seal/Facsimile Signature:** All documents executed on behalf of the Commission shall be approved as to form by the Chief Counsel or an authorized Assistant Counsel, executed by an authorized Commission representative, and attested to by the Secretary who shall affix the official seal of the Missouri Highways and Transportation Commission; however, (1) documents that are on the Chief Counsel's Office's approved list of contract forms provided there are no deviations from the form, and (2) documents that are prepared by outside parties and are identified on the Chief Counsel's Office list of approved nonstandard forms may be executed by the authorized Commission representative without approval as to form, attestation, or affixing the seal. The Secretary is authorized to place a facsimile signature on all copies of documents when the original bears the signature of the person authorized to execute the document.
6. **Electronic Signature:** The signatures and seal of the Commission that are authorized to be affixed to all documents pursuant to the Execution of Documents policy, may be affixed by facsimile or electronic means to said documents for purposes only of executing and attesting to these documents as authorized herein. Furthermore, the Commission delegates authority to the Secretary to establish procedures and directives necessary to implement execution of documents pursuant to this Execution of Documents Policy via electronic signatures in accordance with what is acceptable and allowed by Missouri law.

Specific Subjects and Documents

The Commission delegates authority for approval and/or execution of documents throughout its policies. In those cases where the Commission has delegated its authority for approval and/or execution of specific documents or documents related to a specific subject, please refer to the respective subject. For example, see "Highways – Traffic Control" for policies related to signs.

Effective Date: November 2, 2018

Supersedes Policy Dated: January 8, 2014

Last Reaffirmed:

Date of Origin: February 11, 1958 – Comprehensive List of Documents; November 7, 2013 –

Comprehensive Policy Review. January 8, 2014 added authority for electronic signature. November 2, 2018 minor update of citation and division reference.