



## Missouri Highways and Transportation Commission Policies

**Category:** HIGHWAYS

**Subcategory:** Construction

**Sub-Subcategory:** Claims

### ARBITRATION AND MEDIATION OF CONSTRUCTION DISPUTES

**Related Statute:** Section 226.096 RSMo – Arbitration – Mediation

**Related Rule:** 7 CSR 10-26 – Arbitration and Mediation of Construction Disputes

Policies and procedures required to implement and administer Section 226.096 RSMo, as revised, pertaining to Contractor Claims that exceed \$25,000 but are less than \$327,000 (adjusted on an annual basis in accordance with the Implicit Price Deflator for Personal Consumption Expenditures) will be in keeping with Code of State Regulations, Title 7, Division 10, Chapter 26, *Arbitration and Mediation of Construction Disputes*, adopted by the Commission and filed with the Joint Committee on Administrative Rules and the Secretary of State.

Effective Date: October 2, 2019  
Supersedes Policy Dated: May 10, 2006 – Final rules adopted.  
Last Reaffirmed: November 7, 2013  
Date of Origin: March 10, 2004 – Final rules adopted.

Related Commission Minutes: November 4, 2003; March 10, 2004; January 11, 2006; May 10, 2006; November 7, 2013 – Comprehensive Policy Review; October 2, 2019 – Comprehensive Policy Review.

### ARBITRATION AGREEMENTS

Arbitration Agreements in connection with highway construction projects, which are not provided for in a construction contract, may be executed by a member of the Executive Committee.

#### Executive Committee

For purposes of this policy the term Executive Committee includes the individuals who fill the positions of Director, Deputy Director/Chief Engineer, Assistant Chief Engineer, Chief Safety and Operations Officer, Chief Administrative Officer, and Chief Financial Officer.

Effective Date: October 2, 2019  
Supersedes Policy Dated: April 3, 2012 – EOD, Paragraph B3a  
Last Reaffirmed: November 7, 2013  
Date of Origin: November 3, 1989

Related Commission Minutes: November 3, 1989; July 10, 2001-EOD; December 10, 2004-EOD; January 12, 2011-EOD; April 3, 2012-EOD; November 7, 2013 – Comprehensive Policy Review; October 2, 2019 – Comprehensive Policy Review.