

SS#3 SCS SB 758 -- PROCEDURES FOR CERTAIN PUBLIC PROJECTS FOR FACILITIES

This bill modifies various provisions relating to procedures for certain public projects for facilities.

BIDDING ON CERTAIN PUBLIC PROJECTS (Section 8.250, RSMo)

All contracts for projects, the cost of which exceeds \$25,000, entered into by any city containing 500,000 inhabitants or more shall be let to the lowest, responsive, responsible bidder or bidders after publication of an advertisement for a period of 10 days or more in a newspaper in the county where the work is located, in two daily newspapers in the state which do not have less than 50,000 daily circulation, and on the website of the city or through an electronic procurement system.

All contracts for projects entered into by an officer or agency of the state in excess of \$100,000 shall be let to the lowest, responsive, responsible bidder or bidders based on preestablished criteria after publication of an advertisement for a period of 10 days or more in a newspaper in the county where the work is located, in one daily newspaper in the state which does not have less than 50,000 daily circulation, and on the website of the officer or agency or through an electronic procurement system.

BONDS FOR BUILDINGS AND FACILITIES (Section 8.420)

The bill repeals a provision that allows for a previous increase of issuance of bonds to only be used for repair or renovation of existing buildings and facilities and the construction of a new mental health facility in Callaway County.

CONSTRUCTION MANAGER-AT-RISK/DESIGN-BUILD - STATE PROJECTS (Section 8.690)

The bill permits the Office of Administration to utilize:

- (1) The construction manager-at-risk delivery method; and
- (2) The design-build delivery method for noncivil works projects in excess of \$7 million and no more than five noncivil works projects in any fiscal year that are valued at less than \$7 million.

PUBLIC WORKS CONTRACTS - PAYMENT REQUIREMENTS (Sections 34.057 and 34.058)

The bill transfers provisions governing prompt payment of public

works contracts and the rights of a contractor to recover costs or damages, or obtain an equitable adjustment, for delays in performing a public works contract from Chapter 34 to Chapter 8. These provisions are now known as Sections 8.960 and 8.962.

FAIRNESS IN PUBLIC CONSTRUCTION ACT (Sections 34.203 to 34.218)

The bill transfers the "Fairness in Public Construction Act" from Chapter 34 to Chapter 8. These provisions are now known as Sections 8.964 to 8.974.

SINGLE FEASIBLE SOURCE PURCHASING AUTHORITY (Section 34.100)

Currently, the Commissioner of the Office of Administration may, when in the Commissioner's best judgment it is in the best interests of the state, delegate the Commissioner's procurement authority to an individual department, provided that in the case of single feasible source purchasing authority in excess of \$5,000 the authority must be specifically delegated by the Commissioner. This bill increases that threshold to \$10,000.

DESIGN-BUILD/CONSTRUCTION MANAGER-AT-RISK - POLITICAL SUBDIVISIONS (Section 67.5065)

The bill expressly includes public institutions of higher education in the term "political subdivision" for purposes of current law relating to design-build projects and construction manager-at-risk projects.