



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1067		DATE: 4/1/2025
COMMITTEE: Commerce		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: ANDY ERNST		PHONE NUMBER: 314-220-5696
BUSINESS/ORGANIZATION NAME: PACE CONSTRUCTION COMPANY		TITLE: SR. VICE PRESIDENT
ADDRESS: 1620 WOODSON ROAD		
CITY: ST. LOUIS	STATE: MO	ZIP: 63114
EMAIL: aernst@paceconstructionstl.com	ATTENDANCE: Written	SUBMIT DATE: 4/1/2025 12:25 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Chairman Casteel and Members of the Committee: I submit this testimony in support of House Bill 1067, which ensures fairness for contractors working under the direction of the Missouri Department of Transportation (MoDOT). MoDOT already benefits from sovereign immunity and a liability cap. HB1067 fairly extends these same protections to contractors who faithfully follow MoDOT's approved plans, ensuring they are not disproportionately exposed to lawsuits. MoDOT follows federally recognized safety and engineering standards, such as FHWA regulations and the MUTCD, and contractors must adhere to these specifications without discretion to unilaterally change project designs. According to the U.S. Chamber Institute for Legal Reform, Missouri ranks 44th in the nation for its legal climate, a status that can increase insurance and litigation costs and, in turn, drive up infrastructure expenses for taxpayers. By capping contractor liability, HB1067 helps ensure more predictable project costs. This bill does not excuse negligence; contractors remain accountable for meeting contractual obligations and acting responsibly. HB1067 simply prevents unfair legal exposure when contractors properly follow MoDOT directives. Since MoDOT already operates with sovereign immunity and a liability cap, contractors should not bear a greater legal burden than the agency itself. Extending these protections helps maintain a level playing field, encourages competition, and ultimately benefits the public through more cost-effective projects. For these reasons, I respectfully urge the Committee to support and advance HB1067. Thank you for considering this testimony. Andy Ernst Sr. Vice President Pace Construction Company 1620 Woodson Road St. Louis, MO 63114



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: BRIAN JOHANNING		PHONE NUMBER: 816-394-0979	
BUSINESS/ORGANIZATION NAME: SUPERIOR BOWEN		TITLE:	
ADDRESS: 520 WEST PENNWAY			
CITY: KANSAS CITY		STATE: MO	ZIP: 64108
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: CHRISTOPHER RYAN WEST		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: crwest@nbwest.com	ATTENDANCE: In-Person	SUBMIT DATE: 4/1/2025 11:56 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: CHRISTOPHER WEST		PHONE NUMBER: 314-962-3145	
BUSINESS/ORGANIZATION NAME: WEST CONTRACTING		TITLE: PRESIDENT	
ADDRESS: 18537 WS HIGHWAY 66			
CITY: PACIFIC		STATE: MO	ZIP: 63069
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM	
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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: DALE WILLIAMS		PHONE NUMBER: 673-635-6071
BUSINESS/ORGANIZATION NAME: MISSOURI ASPHALT PAVEMENT ASSOCIATION		TITLE: EXECUTIVE DIRECTOR
ADDRESS: 1221 JEFFERSON STREET		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: MARK RHOADS		PHONE NUMBER: 573-645-0505
REPRESENTING: AMERICAN COUNCIL OF ENGINEERING COMPANIES-MISSOURI		TITLE: LOBBYIST
ADDRESS: P O BOX 1162		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL R. GIBBONS		PHONE NUMBER: 314-650-5783	
REPRESENTING: ASSOCIATED GENERAL CONTRACTORS		TITLE: LOBBYIST	
ADDRESS: 115 EAST HIGH STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: STEVE JACKSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: N.B. WEST CONTRACTING COMPANY		TITLE: VICE PRESIDENT	
ADDRESS: 18637 US HIGHWAY 66			
CITY: PACIFIC		STATE: MO	ZIP: 63069
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM	
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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: TIMMY SWARINGAM		PHONE NUMBER: 314-810-7020
BUSINESS/ORGANIZATION NAME: NB WEST CONTRACTING		TITLE: SAFETY DIRECTOR
ADDRESS:		
CITY: PACIFIC	STATE: MO	ZIP: 63069
EMAIL: tswaringam@nbwest.com	ATTENDANCE: Written	SUBMIT DATE: 4/1/2025 11:15 AM
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I submit this testimony in support of House Bill 1067, which ensures fairness for contractors working under the direction of the Missouri Department of Transportation (MoDOT). MoDOT already benefits from sovereign immunity and a liability cap. HB1067 fairly extends these same protections to contractors who faithfully follow MoDOT's approved plans, ensuring they are not disproportionately exposed to lawsuits. MoDOT follows federally recognized safety and engineering standards, such as FHWA regulations and the MUTCD, and contractors must adhere to these specifications without discretion to unilaterally change project designs. According to the U.S. Chamber Institute for Legal Reform, Missouri ranks 44th in the nation for its legal climate, a status that can increase insurance and litigation costs and, in turn, drive up infrastructure expenses for taxpayers. By capping contractor liability, HB1067 helps ensure more predictable project costs. This bill does not excuse negligence; contractors remain accountable for meeting contractual obligations and acting responsibly. HB1067 simply prevents unfair legal exposure when contractors properly follow MoDOT directives. Since MoDOT already operates with sovereign immunity and a liability cap, contractors should not bear a greater legal burden than the agency itself. Extending these protections helps maintain a level playing field, encourages competition, and ultimately benefits the public through more cost-effective projects. For these reasons, I respectfully urge the Committee to support and advance HB1067. Thank you for considering this testimony.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: In-Person		SUBMIT DATE: 3/5/2025 10:50 PM
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I am Opposed to this Bill and Legislation in making Private Contractors exempt from Liability and Responsibility in Contracts with a Political Subdivisions of the State. This is an awful and reckless Special-Interest Deal. There shall be NO Sovereign Immunity for Private Contractors.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: In-Person		SUBMIT DATE: 4/1/2025 11:57 PM
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I am Opposed to this Bill and Granting Immunity to Private Contractors working for Political Subdivisions and or the State under Contract. This is Bad Public Policy!



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ASHLEY M COSSINS		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: ashleymcossins@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 3/5/2025 10:27 PM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MARK PARRISH		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: 4/1/2025 12:00 AM	
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