

SECOND REGULAR SESSION

# HOUSE BILL NO. 2305

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE OEHLERKING.

5782H.01I

JOSEPH ENGLER, Chief Clerk

## AN ACT

To amend chapter 8, RSMo, by adding thereto one new section relating to electronic bid procurement systems.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 8, RSMo, is amended by adding thereto one new section, to be known as section 8.981, to read as follows:

**8.981. 1. As used in this section, the following terms mean:**

(1) "Construction project", any publicly funded construction, renovation, or improvement of public infrastructure, buildings, or works including, but not limited to, roads, bridges, or other transportation projects, that are funded in whole or in part by a political subdivision of this state;

(2) "Electronic bid procurement system", any secure, government-approved platform or system that facilitates the electronic submission of bids including, but not limited to, a platform or system similar to any electronic procurement system used by the office of administration on the effective date of this section;

(3) "Political subdivision", any county, municipality, city, town, or other governmental entity within the state of Missouri authorized to undertake publicly funded construction projects.

2. (1) All political subdivisions undertaking construction projects shall allow contractors and vendors the option to submit bids electronically using an electronic bid procurement system or other secure electronic delivery methods.

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

(2) The electronic bid submission system shall comply with the uniform electronic transactions act established in sections 432.200 to 432.295 and shall ensure the enforceability of electronic records and signatures under section 432.230.

3. (1) Each political subdivision advertising for bids on applicable construction projects shall:

(a) Publish a notice on a publicly accessible online portal, such as the political subdivision's official website or an electronic bid procurement system; and

(b) Provide notification through an electronic medium, such as a public e-procurement platform or relevant online bid boards, to ensure accessibility to prospective bidders.

(2) At the discretion of the political subdivision, additional notice may be posted in local or regional newspapers of general circulation or announced through public or minority business outreach channels.

(3) The solicitation notice shall include all necessary information regarding the bid submission process, deadlines, electronic submission instructions, and any other requirements for prospective bidders.

4. (1) Political subdivisions shall implement security measures to:

(a) Verify the identity of bidders;

(b) Ensure confidentiality of bid contents; and

(c) Prevent unauthorized access or tampering.

(2) Acceptable security measures may include, but are not limited to:

(a) Digital signatures compliant with section 432.230;

(b) Encryption protocols; or

(c) Other security technologies adhering to industry standards.

(3) All electronic bid submissions shall remain secure and accessible to the public at the specified time for the opening of bids in compliance with chapter 34.

5. (1) Political subdivisions accepting electronic bid submissions shall provide an electronic receipt to the bidder at the time of submission.

(2) The receipt shall include the date and time of submission and may be:

(a) Immediately transmitted to the bidder via email or other electronic notification; or

(b) Accessible to the bidder in an online system where it can be viewed and printed.

6. (1) The office of administration shall develop and issue guidelines to assist political subdivisions in implementing secure electronic bid submission processes. Such guidelines shall be issued no later than one year after the effective date of this section.

52           (2) The office of administration may recommend specific digital platforms,  
53 security protocols, and compliance measures to ensure compliance with this section.  
54 Any electronic procurement system used by the office of administration on the effective  
55 date of this section or similar systems may be referenced as examples of compliant  
56 platforms.

57           (3) The office of administration shall consult with political subdivisions,  
58 contractors, and industry experts during the development of such guidelines to ensure  
59 practical and effective implementation.

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