

SECOND REGULAR SESSION

HOUSE BILL NO. 2906

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

6598H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 8.255, RSMo, and to enact in lieu thereof two new sections relating to state contracts for certain services.

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

Section A. Section 8.255, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 8.255 and 8.292, to read as follows:

8.255. 1. The director may authorize any agency of the state to establish standing contracts for the purpose of accomplishing construction, renovation, maintenance and repair projects not exceeding ~~[one]~~ **two** hundred **fifty** thousand dollars. Such contracts shall be advertised and bid in the same manner as contracts for work which exceeds one hundred thousand dollars, except that each contract shall allow for multiple projects, the cost of each of which does not exceed ~~[one]~~ **two** hundred **fifty** thousand dollars. Each contract shall be of a stated duration and shall have a stated maximum total expenditure. For job order contracts, the total expenditure per project shall not exceed ~~[three]~~ **seven** hundred **fifty** thousand dollars.

2. The director, with full documentation, shall have the authority to authorize any agency to contract for any design or construction, renovation, maintenance, or repair work which in his judgment can best be procured directly by such agency. The director shall establish, by rule, the procedures which the agencies must follow to procure contracts for design, construction, renovation, maintenance or repair work. Each agency which procures such contracts pursuant to a delegation shall file an annual report as required by rule. The director shall provide general supervision over the process. The director may establish procedures by which such contracts are to be procured, either generally or in accordance with each authorization.

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.

18 3. The director, in his sole discretion, may with full documentation approve a
19 recommendation from a project designer that a material, product or system within a
20 specification for construction, renovation or repair work be designated by brand, trade name
21 or individual mark, when it is determined to be in the best interest of the state. The
22 specification may include a preestablished price for purchase of the material, product or
23 system where required by the director.

**8.292. 1. As used in this section, "master agreement" shall mean a contract for
2 architecture, engineering, or land surveying services that will be performed on an as-
3 needed basis for an indefinite quantity of projects over a defined period.**

4 **2. The division of facilities management, design, and construction of the office of
5 administration may establish master agreements using a qualification-based selection
6 process. Master agreements may be used where the estimated fee for architecture,
7 engineering, or land surveying services does not exceed one hundred thousand dollars
8 per project.**

9 **3. The division shall issue a request for qualifications for all master agreements.
10 Each request for qualifications shall be published on the website of the division or
11 advertised through an electronic medium available to the general public for a period of
12 at least ten days before statements of qualifications are reviewed.**

13 **4. The request for qualifications shall specify the number of master agreements
14 to be awarded and the basis for establishing multiple master agreements. Multiple
15 master agreements may be awarded based on a set number, geographic region, or the
16 type of projects or services to be performed.**

17 **5. The division shall evaluate statements of qualifications for a master agreement
18 based on the following criteria:**

19 **(1) The specialized experience and technical competence of the firm with respect
20 to the type of services that may be required;**

21 **(2) The past record of performance of the firm with respect to such factors as
22 control of costs, quality of work, and ability to meet schedules; and**

23 **(3) If applicable, the firm's proximity to and familiarity with the area in which
24 services are to be performed.**

25 **6. The period for each master agreement shall not exceed two years, including all
26 renewal periods and the total value of all services performed under the agreement may
27 not exceed one million dollars per year.**

28 **7. A master agreement shall set forth the agreed-upon terms and conditions and
29 the fee schedule or hourly rate for the specified period. The scope, schedule, and total**

30 fee for each project performed under the master agreement shall be established by a
31 task order issued by the division.

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