



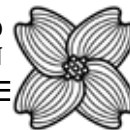
RULES OF

Missouri Department of Transportation

Division 10—Missouri Highways and Transportation Commission

Chapter 10—Contractor Performance Rating to Determine Responsibility

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**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 10 – Missouri Highways and
Transportation Commission
Chapter 10 – Contractor Performance Rating to
Determine Responsibility**

7 CSR 10-10.010 Definitions

PURPOSE: This rule contains the definitions of terms used in this chapter.

(1) Bidder. Any person, individual, partnership, corporation, or joint venture submitting a bid to supply goods or to perform the work contemplated under a commission contract.

(2) Commission. The Missouri Highways and Transportation Commission.

(3) Contractor. Any person, individual, or legal entity including its officers and directors that submits bids or proposals for or is awarded or may reasonably be expected to submit bids or proposals for or be awarded a commission contract. This definition includes any subcontractor that conducts business with the commission or department as an agent or representative of a contractor and any person, individual, or legal entity that conducts business with the department as an agent or representative of a contractor.

(4) Department. The Missouri Department of Transportation (MoDOT).

(5) Nonresponsible contractor. A contractor determined by the commission to lack one (1) or more of the qualities associated with a responsible bidder or responsible contractor and are deemed ineligible to bid on commission contracts.

(6) Person. Any individual, corporation, partnership, association, unit of government, or legal entity, however organized.

(7) Responsible bidder or responsible contractor. A person who has the capability in all respects to perform fully the contract requirements, and who possesses the integrity and reliability which will assure good faith performance.

(8) Subcontractor. Any person participating as part of a joint venture, to whom the contractor sublets any part of the work under a commission contract.

*AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. * Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency amendment filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Amended: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Amended: Filed Nov. 9, 1999, effective May 30, 2000. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Amended: Filed Feb. 6, 2026, effective Sept. 30, 2026.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939; and 227.105, RSMo 1996.*

7 CSR 10-10.020 Explanation of Contractor Performance Rating System

PURPOSE: This rule explains the need for the contractor rating system established in this chapter and states the general objectives of the system.

(1) The commission has the obligation to award its contracts to only responsive and responsible bidders. The commission also has the duty to supervise and control the construction and maintenance of its state highway system. Inherent in these concepts, and in the commission's general obligation to the traveling public of this state, is that the commission must regulate those who construct the finished highway product.

(2) The contractor rating system is intended to help the commission periodically determine those responsible contractors whose outstanding or superior performance merits recognition by the commission. The focus of the recognition will be on excellence in partnering. At the start of each calendar year, contractors will have the opportunity to nominate projects they believe demonstrate outstanding partnerships. Missouri Department of Transportation (MoDOT) will review the nominated projects and select those that will be recognized. The commission will be informed of contractors being recognized. The recognized contractors will be informed and invited to the annual meeting.

*AUTHORITY: sections 226.020, 226.130, 227.030, and 227.100, RSMo 2016. * Original rule filed Dec. 31, 1990, effective July 8, 1991. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Amended: Filed Feb. 6, 2026, effective Sept. 30, 2026.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939; and 227.100, RSMo 1939, amended 1963, 1967, 1969, 2002.*

**7 CSR 10-10.030 Rating Categories for Evaluating the Performance of a Contractor
(Rescinded September 30, 2026)**

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency amendment filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Amended: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

**7 CSR 10-10.040 Contractor Performance Project Evaluation Used For Determining Contractor Performance
(Rescinded September 30, 2026)**

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Amended: Filed Nov. 9, 1999, effective May 30, 2000. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001.



Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

7 CSR 10-10.050 Procedure and Schedule for Completing the Contractor Performance Project Evaluation
(Rescinded September 30, 2026)

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Amended: Filed Nov. 9, 1999, effective May 30, 2000. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

7 CSR 10-10.060 Explanation of Standard Deviation Rating System for All Contractors
(Rescinded September 30, 2026)

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2000. Original rule filed Dec. 31, 1990, effective July 8, 1991. Amended: Filed April 13, 1994, effective Oct. 30, 1994. Amended: Filed June 12, 1996, effective Jan. 30, 1997. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

7 CSR 10-10.070 Procedure for Annual Rating of Contractors
(Rescinded September 30, 2026)

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Amended: Filed Nov. 9, 1999, effective May 30, 2000. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Dec. 8, 2016, effective July 30, 2017. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

7 CSR 10-10.080 Determination of Nonresponsibility
(Rescinded September 30, 2026)

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2000. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov.

20, 1997, effective May 30, 1998. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Rescinded: Filed Feb. 6, 2026, effective Sept. 30, 2026.

7 CSR 10-10.090 Reservation of Rights to Recommend or Declare Persons or Contractors Nonresponsible on Other Grounds

PURPOSE: This rule reserves to the department the right to recommend disqualification of, and to the commission the right to disqualify persons, firms, or contractors for reasons other than those set forth in this chapter.

(1) Nothing in this chapter shall be construed to waive, limit, or restrict the right of the department to determine that a contractor be declared nonresponsible if there is cause to believe that the contractor cannot responsibly or competently perform contract work generally, or of a particular type or description. The department reserves the right to declare disqualified any contractor it finds to be incompetent or nonresponsible, with such terms and conditions governing the disqualification as it deems appropriate.

(2) Nothing in this chapter shall be construed to waive, limit, or restrict the right of the department or of the commission to determine and declare that a person, firm, corporation, or contractor be disqualified for any other legal reason or circumstance that would support a finding that the person, firm, corporation, or contractor was nonresponsible, including but not limited to financial irresponsibility or a demonstrated lack of concern for public or employee safety or environmental responsibility. The commission reserves the right to declare nonresponsible any person, firm, corporation, or contractor which it finds to be nonresponsible or ineligible upon sufficient legal grounds, with those terms and conditions governing that action as it deems appropriate.

AUTHORITY: sections 226.020, 226.130, 227.030, and 227.105, RSMo 2016. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission and rule filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded and readopted: Filed Nov. 20, 1997, effective May 30, 1998. Emergency amendment filed Dec. 1, 2000, effective Jan. 1, 2001, expired June 29, 2001. Amended: Filed Dec. 1, 2000, effective May 30, 2001. Amended: Filed Nov. 20, 2002, effective June 30, 2003. Amended: Filed Dec. 5, 2006, effective July 30, 2007. Amended: Filed Feb. 6, 2026, effective Sept. 30, 2026.*

**Original authority: 226.020, RSMo 1939; 226.130, RSMo 1939, amended 1993, 1995; 227.030, RSMo 1939; and 227.105, RSMo 1996.*

7 CSR 10-10.100 Procedure for Reinstatement of a Person or Contractor Previously Declared Nonresponsible
(Rescinded May 30, 1998)

AUTHORITY: sections 226.020, 227.030 and 227.100, RSMo 1986 and 226.130, RSMo Supp. 1993. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded: Filed Nov. 20, 1997, effective May 30, 1998.



7 CSR 10-10.110 Effect of Reinstatement of a Person or Contractor Previously Declared Nonresponsible

(Rescinded May 30, 1998)

AUTHORITY: sections 226.020, 227.030 and 227.100, RSMo 1986 and 226.130, RSMo Supp. 1993. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded: Filed Nov. 20, 1997, effective May 30, 1998.

7 CSR 10-10.120 Reservation of Rights to Recommend or Declare Persons or Contractors Nonresponsible on Other Grounds

(Rescinded May 30, 1998)

AUTHORITY: sections 226.020, 227.030 and 227.100, RSMo 1986 and 226.130, RSMo Supp. 1993. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded: Filed Nov. 20, 1997, effective May 30, 1998.

7 CSR 10-10.130 Addresses for Written Notification or Appeal

(Rescinded May 30, 1998)

AUTHORITY: sections 226.020, 227.030 and 227.100, RSMo 1986 and 226.130, RSMo Supp. 1993. Original rule filed Dec. 31, 1990, effective July 8, 1991. Emergency rescission filed Nov. 20, 1997, effective Jan. 1, 1998, expired June 29, 1998. Rescinded: Filed Nov. 20, 1997, effective May 30, 1998.