

SENATE AMENDMENT NO. 1

Offered by Schatz of 26

Amend 45/Senate Bill No. 705, Page 16, Section 386.266, Line 1312

2 by inserting after all of said line the following:

3 "393.358. 1. For purposes of this section, the following  
4 terms shall mean:

5 (1) "Commission", the Missouri public service commission  
6 established under section 386.040;

7 (2) "Water corporation", a corporation with more than one  
8 thousand Missouri customers that otherwise meets the definition  
9 of "water corporation" in section 386.020.

10 2. Water corporations shall develop a qualification process  
11 open to all contractors seeking to provide construction and  
12 construction-related services for planned infrastructure projects  
13 on the water corporation's distribution system. The water  
14 corporation shall specify qualification requirements and goals  
15 for contractors seeking to perform such work, including but not  
16 limited to experience, performance criteria, safety record and  
17 policies, technical expertise, scheduling needs and available  
18 resources, supplier diversity and insurance requirements.  
19 Contractors that meet the qualification requirements shall be  
20 eligible to participate in a competitive bidding process for  
21 providing construction and construction-related services for  
22 planned infrastructure projects on the water corporation's  
23 distribution system, and the contractor making the lowest and

1 best bid shall be awarded such contract. For contractors not  
2 qualifying through the competitive bid process, the water  
3 corporation, upon request from the contractor, shall provide  
4 information from the process in which the contractor can be  
5 informed as to how to be better positioned to qualify for such  
6 bid opportunities in the future. Nothing in this section shall  
7 be construed as requiring any water corporation to use third  
8 parties instead of its own employees to perform such work, to use  
9 the contractor qualification or competitive bidding process in  
10 the case of an emergency project, or to terminate any existing  
11 contract with a contractor prior to its expiration.

12 3. Within thirty days after the effective date of this  
13 section and with the filing of a general rate proceeding  
14 initiated by the water corporation, the water corporation shall  
15 file a statement with the commission confirming it has  
16 established a qualification process meeting the requirements of  
17 this section and that such process is used for no less than ten  
18 percent of the corporation's external expenditures for planned  
19 infrastructure projects on the water corporation's distribution  
20 system. The commission shall have the authority to verify the  
21 statements to ensure compliance with this section.

22 4. By December 31, 2020, the commission shall submit a  
23 report to the general assembly on the effects of this section,  
24 including water corporation compliance, the costs of performing  
25 planned infrastructure projects prior to the implementation of  
26 this section compared to after the implementation of this  
27 section, and any other information regarding the process  
28 established under this section that the commission deems  
29 necessary."; and

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Further amend the title and enacting clause accordingly.

