

SECOND REGULAR SESSION

SENATE BILL NO. 1019

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time February 21, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6514S.02I

AN ACT

To repeal section 227.100, RSMo, and to enact in lieu thereof one new section relating to valuation of bids for state contracts.

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

Section A. Section 227.100, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 227.100, to read as follows:

227.100. 1. All contracts for the construction of said work shall be let to
2 the lowest responsible bidder or bidders after notice and publication of an
3 advertisement in a newspaper published in the county where the work is to be
4 done, and in such other publications as the commission may determine. **In
5 determining the lowest responsible bidder or bidders, the commission,
6 where practical, shall consider the complete life-cycle cost of the work,
7 including but not limited to factors such as initial cost, energy
8 consumption, energy cost, warranties, product performance, expected
9 maintenance costs, resale value, and ultimate and safe disposition
10 costs. It shall be incumbent upon the bidder to demonstrate the life-
11 cycle costs of work for which a bid is offered.**

12 2. Each bid shall be accompanied by a certified check or a cashier's check
13 or a bid bond, guaranteed by a surety company authorized by the director of the
14 department of insurance, financial institutions and professional registration to
15 conduct surety business in the state of Missouri, equal to five percent of the bid,
16 which certified check, cashier's check, or bid bond shall be deposited with the
17 commissioner as a guaranty and forfeited to the state treasurer to the credit of
18 the state road fund in the event the successful bidder fails to comply with the
19 terms of the proposal, and return to the successful bidder on execution and
20 delivery of the performance bond provided for in subsection 4. The checks of the

21 unsuccessful bidders shall be returned to them in accordance with the terms of
22 the proposal.

23 3. All notices of the letting of contracts under this section shall state the
24 time and place when and where bids will be received and opened, and all bids
25 shall be sealed and opened only at the time and place mentioned in such notice
26 and in the presence of some member of the commission or some person named by
27 the commission for such purpose.

28 4. The successful bidders for the construction of said work shall enter into
29 contracts furnished and prescribed by the commission and shall give good and
30 sufficient bond, in a sum equal to the contract price, to the state of Missouri, with
31 sureties approved by the commission and to ensure the proper and prompt
32 completion of said work in accordance with the provisions of said contracts, and
33 plans and specifications; provided, that if, in the opinion of the majority of the
34 members of the commission, the lowest bid or bids for the construction of any of
35 the roads, or parts of roads, herein authorized to be constructed, shall be
36 excessive, then, and in that event, said commission shall have the right, and it
37 is hereby empowered and authorized to reject any or all bids, and to construct,
38 under its own direction and supervision, all of such roads and bridges, or any part
39 thereof.

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