

SECOND REGULAR SESSION

# SENATE BILL NO. 621

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODE.

Pre-filed December 22, 1997, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S2876.011

## AN ACT

To repeal section 8.250, RSMo Supp. 1997, relating to contracts for projects by state and certain subdivisions, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 8.250, RSMo Supp. 1997, is repealed and one new section enacted in lieu thereof, to be known as section 8.250, to read as follows:

8.250. 1. "Project" for the purposes of this chapter means the labor or material necessary for the construction, renovation, or repair of improvements to real property so that the work, when complete, shall be ready for service for its intended purpose and shall require no other work to be a completed system or component.

2. All contracts for projects, the cost of which exceeds twenty-five thousand dollars, entered into by any officer or agency of this state or of any city containing five hundred thousand inhabitants or more shall be let to the lowest, responsive, responsible bidder or bidders after notice and publication of an advertisement for five days in a daily newspaper in the county where the work is located, or at least twice over a period of ten days or more in a newspaper in the county where the work is located, and in two daily newspapers in the state which do not have less than fifty thousand daily circulation, and by such other means as are determined to be most likely to reach potential bidders.

3. The number of such public bids shall not be restricted or curtailed, but shall be open to all persons complying with the terms upon which the bids are requested or solicited unless debarred for cause. **The director shall have the right to reject any and all bids.** No contract shall be awarded when the amount appropriated for same is not sufficient to complete the work

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

ready for service.

4. Dividing a project into component labor or material allocations for the purpose of avoiding bidding or advertising provisions required by [this section] **law** is specifically prohibited. **Nothing in this section shall be interpreted to prohibit the use of multiple contracts, each of which is competitively procured, to accomplish work when the commissioner of administration determines that such a multiple contract method is indicated after considering the comparative anticipated costs, the time constraints and the type of work involved. Such a determination shall be made in writing and shall become a permanent portion of the contract file.**

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