

SECOND REGULAR SESSION

HOUSE BILL NO. 1910

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWLAND.

5941H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 8.291, RSMo, and to enact in lieu thereof one new section relating to negotiations for agency contracts.

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

Section A. Section 8.291, RSMo, is repealed and one new section enacted in lieu thereof,
2 to be known as section 8.291, to read as follows:

8.291. 1. The agency shall list three highly qualified firms. The agency shall then select
2 the firm considered best qualified and capable of performing the desired work and negotiate a
3 contract for the project with the firm selected.

4 2. For a basis for negotiations the agency shall prepare a written description of the scope
5 of the proposed services.

6 3. If the agency is unable to negotiate a satisfactory contract with the firm selected,
7 negotiations with that firm shall be terminated. The agency shall then undertake negotiations
8 with another of the qualified firms selected. If there is a failing of accord with the second firm,
9 negotiations with such firm shall be terminated. The agency shall then undertake negotiations
10 with the third qualified firm. **If there is a failing of accord with the third firm, negotiations**
11 **with such firm shall be terminated, and the agency may return to the first or second firm**
12 **to negotiate a satisfactory contract.**

13 4. If the agency is unable to negotiate a contract with any of the selected firms, the
14 agency shall reevaluate the necessary architectural, engineering or land surveying services,
15 including the scope and reasonable fee requirements, again compile a list of qualified firms and
16 proceed in accordance with the provisions of sections 8.285 to 8.291.

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.

17 5. **(1) Except as provided in subdivision (2) of this subsection,** the provisions of
18 sections 8.285 to 8.291 shall not apply to any political subdivision which adopts a
19 qualification-based selection procedure commensurate with state policy for the procurement of
20 architectural, engineering and land surveying services.

21 **(2) Any political subdivision that adopts a qualification-based selection procedure**
22 **may request a fee proposal from three highly qualified firms selected under the provisions**
23 **of sections 8.282 to 8.291 to evaluate and aid in final selection.**

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