

on a state project during a period of suspension or debarment, the director may issue a determination extending the time of suspension, changing a suspension to a debarment, or changing the showing that the contractor must make to be determined eligible to perform work on future contracts.

2. Any eligible contractor who knowingly contracts with a suspended or debarred contractor to provide labor or materials on a contract with the division may be suspended or debarred.

3. A suspension or debarment may extend to any affiliate of the contractor who had actual or constructive knowledge of the preliminary determination of suspension or debarment.

4. The director may suspend a contractor for a period not to exceed one year or debar a contractor indefinitely. After the stated period of suspension has expired or more than two (2) years has passed since the finding of debarment, the contractor may apply to the director to be declared eligible. The contractor must show that the contractor has complied with the terms set forth in the final determination of suspension or debarment. If the contractor applies for reinstatement but is unable to demonstrate responsibility to the director, the contractor shall continue to be ineligible until the required information is provided.

(D) Cause for Suspension or Debarment. The director may suspend or debar a company or firm and their named principals for any or a combination of the following reasons:

1. Commission of a criminal offense related to obtaining or performing a government contract;

2. Violation of antitrust statutes;

3. Commission of fraud, embezzlement, theft, forgery, making false statements, or tax evasion;

4. Commission of any other offense or action indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of the contractor;

5. Debarment of the contractor by another state, the federal government, another entity of the state of Missouri, or by a political subdivision of the state of Missouri; or

6. Violations of material contract provisions, which include, but are not limited to failure to, perform or negligent performance of any term or standard of one or more contracts. The failure to perform caused by acts beyond the control of the contractor, or a subcontractor, or material supplier, shall not be considered a basis for suspension or debarment.

*AUTHORITY: sections 8.250, 8.255, 8.310, and 8.320, RSMo [Supp. 2007] 2016. Original rule filed Nov. 5, 2007, effective June 30, 2008. Amended: Filed Nov. 30, 2018.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Administration, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 1—OFFICE OF ADMINISTRATION  
Division 30—Division of Facilities Management,  
Design and Construction  
Chapter 3—Capital Improvement and Maintenance  
Program**

**PROPOSED RESCISSION**

**1 CSR 30-3.060 Determination of Contractor Responsibility.** This rule established the procedure for determining contractor responsibility and eligibility for state contracts.

*PURPOSE: This rule is being rescinded and the content is being moved to 1 CSR 30-3.025 where bidding processes and procedures are discussed.*

*AUTHORITY: section 8.320, RSMo 2000. Original rule filed July 14, 1989, effective Oct. 16, 1989. Rescinded and readopted: Filed Nov. 5, 2007, effective June 30, 2008. Rescinded: Filed Nov. 30, 2018.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Administration, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 1—OFFICE OF ADMINISTRATION  
Division 30—Division of Facilities Management,  
Design and Construction  
Chapter 4—Facility Maintenance and Operation**

**PROPOSED AMENDMENT**

**1 CSR 30-4.020 Facility Management.** The Division of Facilities Management, Design and Construction is deleting sections (1), (2), and (4), amending existing sections (2) and (5), renumbering and adding new sections (3)–(5) to this regulation.

*PURPOSE: This amendment deletes requirements relating to space management and energy conservation program development, amends information related to facility records, and incorporates information formerly found in other regulations in this chapter that are concurrently being rescinded. The information incorporated from other regulations in this chapter has been revised and reorganized to better reflect FMDC's current practices and to increase the readability of the regulation. Information regarding coordination with the State Emergency Management Agency and the use of video surveillance, metal detectors, and security guards has also been added.*

*PURPOSE: This rule establishes standards and procedures for management of buildings or facilities under the operational direction of the Division of Facilities Management, Design and Construction.*

*[(1) General. The purpose of these rules is to provide direction and guidance for facilities operators within state government for asset management of state facilities, including space management and utilization, maintenance, energy conservation, safety and security, and facility records. The rules also include guidance on the operational diagnostics and performance tracking.*

*(2) Space Management. Each department shall have enough assigned space to perform their mission. The director shall develop a space management plan in conjunction with the department's space master plan. The plan shall include space standards for employees based on job function. The director shall be responsible for making recommendation to*