

**H. B. 3118**

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(By Delegate Doyle)  
[Introduced February 14, 2011; referred to the  
Committee on Political Subdivisions then Finance.]

**FISCAL  
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new section, designated §8A-11-3, relating to  
requiring a private developer who includes a new water system  
in a development project to use a public entity for the  
construction of the water system unless at least two  
competitive bids for the water system are obtained.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §8A-11-3, to read as  
follows:

**ARTICLE 11. SPECIAL PROVISIONS.**

**§8A-11-3. Private developers constructing new water systems.**

A private developer who includes a new water system in a  
development project must use a public entity for the construction  
of that water system unless the developer obtains at least two

1 competitive bids for the water system. If the developer obtains  
2 those competitive bids and chooses to have the nonpublic entity to  
3 construct the new water system, the developer shall make the bids  
4 public.

NOTE: The purpose of this bill is to require a private developer who includes a new water system in a development project to use a public entity for the construction of the water system unless the developer obtains at least two competitive bids for the water system. If one of those bids is accepted, all the bids must be made public.

This section is new; therefore, it has been completely underscored.