



1 effective date of the amendment to this article in the regular  
2 session of 2011, in addition to the three projects authorized by  
3 prior enactment of this section, by combining the design and  
4 construction elements of a highway or bridge project into a single  
5 contract.

6 (b) A design-build project may not be let to contract after  
7 June 30, 2013. The Division of Highways may expend no more than  
8 \$75 million in each of the two years remaining in the pilot program  
9 after the effective date of the amendment to this article in the  
10 regular session of 2011. ~~Provided, That~~ If any of the \$75 million  
11 is unused in the first year, the remaining amount may be applied to  
12 the following year's amount. ~~Provided, however, That~~ The total  
13 aggregate amount to be expended after the effective date of the  
14 amendment to this article in the regular session of 2011 may not  
15 exceed \$150 million.

16 (c) A design-build project may be let to contract only in  
17 accordance with the commissioner's established policies and  
18 procedures concerning design-build projects.

19 (d) After June 30, 2013, projects may not be let under the  
20 provisions of this article unless the West Virginia Legislature  
21 either approves additional projects or makes the program permanent.

22 (e) Projects receiving special funding above the regular  
23 federal core funding may utilize the pilot program but shall not be

1 included in the total number of projects or expenditure limits  
2 provided by subsections (a) and (b) of this section.

3 ~~(f) Effective after the effective date of the amendment to~~  
4 ~~this article in the regular session of 2011, no consultant engineer~~  
5 ~~who prepares preliminary plans, planning reports or other project~~  
6 ~~development products for a project pursuant to the provisions of~~  
7 ~~this section may participate in the construction of that project.~~

NOTE: The purpose of this bill is to eliminate a provision that prohibits a consultant engineer who prepares preliminary plans, planning reports or other project development products pursuant to certain statutory provisions from participating in the construction of the project.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.