

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2722

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATE MILEY

[BY REQUEST OF THE EXECUTIVE]

[Introduced February 27, 2017; Referred
to the Committee on Roads and Transportation then
Finance.]

1 A BILL to amend and reenact §17-2D-2 of the Code of West Virginia, 1931, as amended, relating
 2 to eliminating the financial limitations on utilizing the design-build program for highway
 3 construction.

Be it enacted by the Legislature of West Virginia:

1 That §17-2D-2 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 2D. HIGHWAY DESIGN-BUILD PILOT PROGRAM.

§17-2D-2. Highway Design-Build Program.

1 (a) Notwithstanding any provision of this code to the contrary, the Commissioner of the
 2 West Virginia Division of Highways may expedite the construction of projects by combining the
 3 design and construction elements of a highway or bridge project into a single contract as provided
 4 in this article.

5 ~~(b) The Division of Highways may expend no more than \$50 million in each year in the~~
 6 ~~program: *Provided*, That if any of the \$50 million is unused in one year, the remaining amount~~
 7 ~~may be applied to the following year's amount: *Provided, however*, That the total aggregate~~
 8 ~~amount to be expended may not exceed \$150 million in any one year~~

9 ~~(e)~~ (b) A design-build project may be let to contract only in accordance with the
 10 commissioner's established policies and procedures concerning design-build projects.

11 ~~(d)~~ (c) Projects receiving funding above the amount of federal core funding as appropriated
 12 to the state by formula in a federal highway authorization, currently titled MAP-21, may utilize the
 13 program, but shall not be included in expenditure limits provided by subsection (b) of this section.

NOTE: The purpose of this bill is to remove the financial limitations on how many design build projects may be undertaken by the Division of Highways. Currently, no more than \$50 million a year up to an aggregate of \$150 million may be expended for design build projects.

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