

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Engrossed

Senate Bill 417

BY SENATORS CARMICHAEL (MR. PRESIDENT) AND

PREZIOSO

(BY REQUEST OF THE EXECUTIVE)

[Introduced February 23, 2017; Referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on 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 Highway Design-Build Program for
3 highway 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.~~