

# VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

## CHAPTER 419

*An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:16, relating to design-build contracts for local transportation construction projects.*

[H 671]

Approved March 31, 2006

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:16 as follows:**

*§ 33.1-223.2:16. Localities may use design-build contracts.*

*Counties, cities, and towns may award contracts for the construction of transportation projects on a design-build basis. These contracts may be awarded after a written determination is made by the chief executive officer of the county, city, or town that delivery of the projects must be expedited and that it is not in the public interest to comply with the design and construction contracting procedures normally followed. These contracts shall be of such size and scope to encourage maximum competition and participation by qualified contractors. Such determination shall be retained for public inspection in the official records of the county, city, or town and shall include a description of the nature and scope of the project and the reasons for the determination that awarding a design-build contract will best serve the public interest. If state or federal transportation funds are used for the contract, then the county, city, or town shall comply with the provisions of § 33.1-12, and shall request from the Department the authority to administer the project in accordance with pertinent state or federal requirements.*