

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

5  
6 Approved

[H 671]

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

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

10 *§ 33.1-223.2:16. Localities may use design-build contracts.*

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

ENROLLED

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