

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-1133 of the Code of Virginia, relating to Department of General*  
3 *Services; Division of Engineering and Buildings; use of value engineering.*

4 [H 900]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-1133 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.2-1133. Use of value engineering.

9 A. The Division shall ensure that value engineering is employed for any capital project costing more  
10 than five million dollars. Value engineering may also be used for any project costing five million dollars  
11 or less. For purposes of this section, "value engineering" means a systematic process of review and  
12 analysis of a capital project by a team of persons not originally involved in the project. Such team,  
13 which shall include appropriate professionals licensed in accordance with Chapter 4 (§ 54.1-400 et seq.)  
14 of Title 54.1, may offer suggestions that would improve project quality and reduce total project cost by  
15 combining or eliminating inefficient or expensive parts or steps in the original proposal or by totally  
16 redesigning the project using different technologies, materials, or methods.

17 B. *The review developed pursuant to subsection A shall be compiled in a value engineering report*  
18 *and submitted to the Division. Each item included in the value engineering report shall have a status*  
19 *designation of accepted, declined, or accepted as modified. The Division, within 45 days, must approve*  
20 *the value engineering report before the project may move to the next phase of design. For projects that*  
21 *(i) are designed utilizing either the design-build or construction manager at risk construction delivery*  
22 *method, (ii) have the value engineering process as an integral component, and (iii) have been granted*  
23 *an appropriate waiver by the Director of the Department of General Services, a representative*  
24 *designated by the Director shall participate in all cost savings decisions before modifications to the*  
25 *design may be finalized.*

26 C. The Director of the Department may waive the requirements of this section for any proposed  
27 capital project for compelling reasons. Any waiver shall be in writing, state the reasons for the waiver,  
28 and apply only to a single capital project. On or before September 15 of each year, the Director of the  
29 Department shall report to the Governor and the General Assembly on the (i) number and value of the  
30 capital projects where value engineering was employed and (ii) identity of the capital projects for which  
31 a waiver of the requirements of this section was granted, including a statement of the compelling  
32 reasons for granting the waiver. The report shall cover projects completed or for which a waiver was  
33 granted within the previous fiscal year.

34 ~~C. D.~~ Notwithstanding any law to the contrary, the provisions of this section shall apply to public  
35 institutions of higher education in Virginia.

ENROLLED

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