

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 11-41.2:3 of the Code of Virginia, relating to the Public Procurement*  
3 *Act; Design-Build/Construction Management Review Board; membership.*

4 [S 454]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 11-41.2:3 of the Code of Virginia is amended and reenacted as follows:**8 § 11-41.2:3. Design-Build/Construction Management Review Board created; membership; terms;  
9 staffing; seal.

10 A. There is hereby created the Design-Build/Construction Management Review Board, hereinafter  
11 referred to as the Review Board, which shall be composed of nine members to be appointed by the  
12 Governor as follows: the Director of the Division of Engineering and Buildings of the Department of  
13 General Services, or his designee; two Class A general contractors selected from a list recommended by  
14 the Associated General Contractors; one architect and one engineer selected from a list recommended by  
15 the Consulting Engineers Council of Virginia, the Virginia Society of the American Institute of  
16 Architects, and the Virginia Society of Professional Engineers; and four representatives of public bodies  
17 other than the Commonwealth selected from a list recommended by the Virginia Municipal League and  
18 the Virginia Association of Counties. Each such list shall include the names of at least four persons who  
19 are experienced *and actively engaged* in competitive sealed bidding or competitive negotiation and in  
20 design-build or construction management procedures. The Director of the Division of Engineering and  
21 Buildings or his designee shall be a nonvoting member of the Review Board, except in the event of a  
22 tie vote of the Review Board.

23 B. The initial terms of the Review Board shall be as follows: three members shall be appointed for  
24 two-year terms, three members shall be appointed for three-year terms and three members shall be  
25 appointed for four-year terms. Thereafter, all appointments shall be for terms of four years, except that  
26 appointments to fill vacancies shall be for the unexpired terms. No person shall be eligible to serve for  
27 more than two successive full terms, except the Director of the Division of Engineering and Buildings,  
28 who shall serve until a successor qualifies.

29 C. The Review Board shall elect its chairman and vice-chairman from among its members. Members  
30 shall receive no compensation for their services as members of the Review Board, but shall receive  
31 reasonable expenses.

32 D. The Review Board shall meet monthly to conduct its business as required by § 11-41.2:4.  
33 However, monthly meetings may be canceled by the chairman if there is no business before the Review  
34 Board. Five members shall constitute a quorum.

35 E. Such staff support as is necessary for the conduct of the Review Board's business shall be  
36 furnished by the Division of Engineering and Buildings of the Department of General Services pursuant  
37 to § 2.1-483.1:2.

38 F. The Review Board shall adopt a seal by which it shall authenticate its proceedings.

39 **2. That the provisions of this act shall not affect existing appointments to the**  
40 **Design-Build/Construction Management Review Board for which the terms have not expired.**  
41 **However, any new appointments made on or after the July 1, 1998, shall be made in accordance**  
42 **with the provisions of this act.**

ENROLLED

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