WEST VIRGINIA CODE: §17-27-4

§17-27-4. Powers and duties of the division and other agencies that are part of the department.

In addition to the powers and duties set forth elsewhere in this code, the division and any other agency that is part of the department may:

(1) Review proposals submitted by private entities in accordance with this article. The review shall consist of the review by the division of the conceptual proposal: Provided, That expenses of the division incurred for review of an unsolicited proposal or proposals shall be paid by the private entity submitting the proposal. The division shall take into account at all times the needs and funding capabilities of the state as a whole in terms of transportation;

(2) Enter into agreements, contracts, or other transactions with any agency that is part of the department, as well as any federal, state, county, municipal agency, or private entity;

(3) Act on behalf of the state and represent the state in the planning, financing, development, and construction of any transportation facility for which proposals have been received in accordance with the provisions of this article. Other public entities in this state shall cooperate to the fullest extent with what the division considers appropriate to effectuate the duties of the division;

(4) Exempt from disclosure any sensitive business, commercial, or financial information that is not customarily provided to business competitors that is submitted to the division for final review and approval;

(5) Exempt from disclosure any documents, communications, or information described in this section including, but not limited to, the project's design, management, financing, and other details in accordance with §29B-1-1 *et seq*. of this code; and

(6) Do any and all things necessary to carry out and accomplish the purposes of this article.

WV Legislature