

# WEST VIRGINIA CODE: §5-22A-10

## **§5-22A-10. Invitation for proposals.**

(a) The agency shall prepare an invitation for proposals for the qualified design-builders, which must provide at a minimum:

- (1) The identity of the agency which will award the design-build contract;
  - (2) The procedures to be followed for submitting proposals, the criteria for evaluation of proposals and their relative weight, and the procedures for making awards, including a reference to the requirements of this article, the legislative rules promulgated pursuant to section six of this article and any specific requirements of the agency;
  - (3) The proposed terms and conditions for the design-build contract;
  - (4) The performance criteria;
  - (5) The description of the drawings, specifications or other information to be submitted with the proposal, with guidance as to the form and level of completeness of the drawings, specifications or submittals that will be acceptable;
  - (6) A schedule for planned commencement and completion of the design-build contract;
  - (7) Budget limits for the design-build contract, if any;
  - (8) Requirements or restrictions for the subletting of specific portions of the design-build contract, if any; and
  - (9) Requirements for performance bonds, payment bonds, insurance, professional liability insurance and workers' compensation coverage: Provided, That no officer or employee of this state or of any public agency, public authority, public corporation, or other public entity, and no person acting or purporting to act on behalf of such officer or employee or public entity shall require that any performance bond, payment bond, or bid bond required or permitted by this section be obtained from any particular surety company, agent, broker, or producer.
- (b) The agency shall provide, as applicable, additional information to the design-builder, including, but not limited to, surveys, soils reports, drawings or information regarding existing structures, environmental studies, photographs or references to public records, or other pertinent information.