WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED
Committee Substitute for
SENATE BILL NO. 227

(By Senators "Cranz", "McDowell")

PASSED March 11, 1995
In Effect 90 Days From Passage
ENROLLED

COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 227

(SENATORS CRAIGO AND DITTMAR, original sponsors)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-seven-b, relating to prohibiting change orders in excess of ten percent of the original successful contract bid for certain state contracts.

Be it enacted by the Legislature of West Virginia:

That article three, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty-seven-b, to read as follows:

ARTICLE 3. PURCHASING DIVISION.
§5A-3-37b. Change orders in excess of ten percent of original contract prohibited.
(a) Notwithstanding any provision of this chapter to the contrary, and subject to the exceptions set forth in subsection (b) and (c) of this section, no change order executed or approved by the purchasing division for commodities, business service contracts or professional services may be made in excess of ten percent of the original successful contract bid involving such contracts with the state: Provided, That the provisions of this article shall not apply to change orders entered into pursuant to subsection (b) of this section.

(b) In the event there is a need for a change order in excess of ten percent of the original contract, such change order shall be negotiated between the two lowest competitive bidders on a competitive basis.

(c) The provisions of this section shall not apply to maintenance and construction contracts entered into by the division of highways.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is dispensed this the 25th day of ........................................ March ........................................, 1995.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/23/55
Time 7:00 p.m.