WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

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ENROLLED

SENATE BILL NO. 677

(By Senator SYDOR ET AL)

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PASSED MARCH 12, 1999

In Effect NINETY DAYS FROM PASSAGE
ENROLLED

Senate Bill No. 677

(By Senators Snyder, Craigo, Unger, Kessler, Bailey and Edgell)

[Passed March 12, 1899; 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 two new sections, designated sections fifty-five and fifty-five-a, all relating to intrastate air transportation services for state employees, legislators, members of various state boards and commissions and members of the general public; limiting the authority to contract to one year; directing the solicitation of bids to provide the same; outlining minimum bid specifications; authorizing the limited underwriting of the cost of the same; and making certain findings in relation thereto.

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 two new sections, designated sections fifty-five and fifty-five-a, all to read as follows:
ARTICLE 3. PURCHASING DIVISION.

§5A-3-55. Legislative findings.

1 The Legislature hereby finds that the absence of regularly scheduled intrastate commercial passenger air service in the state inhibits participation on state boards and commissions by citizens living in distant areas of the state; results in the loss of productivity by state employees and legislators traveling to and from distant communities; and hampers economic development. The Legislature further finds that it would well serve the state’s interests to partially underwrite the cost of providing air service by soliciting competitive bids from responsible bidders in the private sector to provide air service to the state.

§5A-3-55a. Director to solicit competitive bids to provide partially underwritten intrastate passenger air service at the lowest underwriting costs.

(a) The director may exercise the authority provided in this article to solicit, from responsible bidders, bids to provide, for a twelve-month period, partially underwritten, reliable, regularly scheduled public passenger air service to state employees, legislators, members of various state boards and commissions, and members of the general public between and among communities in the state. Provided, That the director’s authority to contract for services is limited to one twelve-month contract.

(b) To be eligible to respond to the solicitation, a bidder shall offer to provide at a minimum: (1) Round trip prices per passenger which do not exceed three hundred dollars; (2) a flight departure and arrival schedule which is determined by the director to be efficient and appropriate to achieve optimum cost-benefit in light of the official duties, responsibilities and work schedules of the passengers using the service; (3) aircraft which seats at least six passengers, and which meets other safety and comfort specifications determined by the director; and (4) other requirements and specifications determined by the director.

(c) At the conclusion of the bidding process, the director may, pursuant to the procedures provided in this article, award a contract to the lowest bidder, taking into consid-
eration the qualities of the articles to be supplied, their conformity to the specifications, their suitability to the requirements of government and the delivery terms. Any or all bids may be rejected. The director may accept a bid and enter into a contract in which the guarantee amount shall not exceed the amount that the Legislature appropriated to the director for the air service for that fiscal year: Provided, That the contract shall provide that the administration of the air service to be rendered pursuant to the contract shall be in accordance with the emergency rules as promulgated by the director in accordance with section fifteen, article three, chapter twenty-nine-a of this code.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating 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 approved this the 28th Day of March, 1999.

Governor