



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219-2000

**Gregory A. Whirley**  
COMMISSIONER

November 30, 2012

The Honorable S. Chris Jones  
Chairman, House General Laws Committee  
P.O. Box 5059  
Suffolk, Virginia 23435

The Honorable Stephen D. Newman  
Chairman, Senate Transportation Committee  
P.O. Box 480  
Forest, Virginia 24551

Dear Chairman Jones and Chairman Newman:

Chapter 783 of the 2012 Acts of Assembly directs the Virginia Department of Transportation (VDOT) to report annually by December 1<sup>st</sup> on information relating to performance and payment bonds. The Act specifically directs VDOT to report the following information to the Chairmen of the House Committee on General Laws and the Senate Transportation Committee:

The number of companies that were unable to procure a performance or payment bond pursuant to subsection H of Va. Code § 2.2-4337;

The number of waivers granted by the Department pursuant to subsection H of Va. Code § 2.2-4337; and

The number of companies that were enrolled in any Department of Treasury, Division of Risk Management self-bonding program for Department projects.

This year there were no companies that were unable to procure a performance or payment bond pursuant to subsection H of Va. Code § 2.2-4337. Therefore, VDOT did not grant any waivers, and there were no companies that bid on VDOT projects enrolled in the Department of Treasury self-bonding program.

Sincerely,  
Gregory A. Whirley, Sr.