

Construction State Law Matrix

AGC State Law Matrix

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Choose State: **Virginia**

Virginia

Pre-Qualification Requirements

| Topic | Yes/No | Statutory Requirements | Notes/Comments |
|---|--------|--|---|
| Is There a State Licensing Requirement for General Contractors? | Yes | Va. Code Ann. §§ 54.1-1100, 54.1-1106, 54.1-1108, 54.1-1108.1, 54.1-1108.2 Va. Code Ann. § 2.2-4317 | <ul style="list-style-type: none"> A contractor must be issued the appropriate class of license. Class A contractors perform or manage construction, removal, repair, or improvements when (1) the total value referred to in a single contract or project is \$120,000 or more, or (2) the total value of all such construction, removal, repair, or improvements undertaken by such person within any twelve-month period is \$750,000 or more Class B contractors perform or manage \$10,000 - \$119,999 (single contract) or \$150,000 - \$749,999 annually. Class C contractors perform or manage \$1,000-\$10,000 (single contract) or \$0 - \$149,999 annually. Va. Code Ann. § 11-46 authorizes the adoption of pre-qualification procedures. Va. Code Ann. § 2.2-4317 provides for the prequalification of contractors competing for public construction contracts. |
| Is There a State Licensing Requirement for Construction Managers? | Yes | Va. Code Ann. § 54.1-1100 | <ul style="list-style-type: none"> A "contractor" includes any person who "contracts for performing, managing or superintending, in whole or in part, the construction." |
| Is There a State Licensing Requirement for Architects and Engineers | Yes | Va. Code Ann. §§ 54.1-400 to 54.1-411 Va. Stat. § 2.1-1.6 | <ul style="list-style-type: none"> §54.1-406 requires architects and engineers to be licensed, and §54.1-401, 402, & 402.1 list the exceptions to the licensing requirement. |
| Is There a State Licensing Requirement for Other Parties? | Yes | Va. Code Ann. §§ 54.1-503, 54.1-1101, 54.1-1141, 54.1-1106, 54.1-1108, 54.1-1108.2 | <ul style="list-style-type: none"> Electricians, plumbers, and HVAC contractors must be licensed as Class A, B, or C. Licenses are also required for asbestos and lead contractors, elevator mechanics and accessibility mechanics. |
| Is There a Foreign Corporation Registration Requirement? | Yes | Va. Code Ann. §§ 13.1-763, 2.2-4311.2 | <ul style="list-style-type: none"> Foreign corporations must maintain a registered office which may be at a place of business and the corporation must maintain a registered agent. On public contracts, bidders or offerors must include its State Corporation Commission identification number showing that it is authorized to transact business in Virginia. |
| Must a Non-resident Contractor Post a Bond as Part of the Process of Qualifying to do Business? | No | | |
| Sales/Use Tax Obligations | Yes | Va. Code Ann. §§ 58.1-603 through 605 | <ul style="list-style-type: none"> A five (4% state, 1% local) percent sales tax is assessed on every person selling or distributing personal property, renting or furnishing property or services, storing property for use or consumption, or leasing or renting personal property in Virginia. A five (4% state, 1% local) percent use tax is assessed upon the use or consumption of property or the storage of property outside of Virginia for the use in Virginia. |