

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-2012 of the Code of Virginia, relating to VITA; contracts for*  
3 *personal computers.*

4 [H 508]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-2012 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.2-2012. Procurement of information technology and telecommunications goods and services;  
9 computer equipment to be based on performance-based specifications.

10 A. Information technology and telecommunications goods and services of every description shall be  
11 procured by (i) VITA for its own benefit or on behalf of other state agencies and institutions or (ii) such  
12 other agencies or institutions to the extent authorized by VITA. Such procurements shall be made in  
13 accordance with the Virginia Public Procurement Act (§ 2.2-4300 et seq.) and regulations as may be  
14 prescribed by VITA.

15 The CIO shall disapprove any procurement that does not conform to the statewide information  
16 technology plan or to the individual plans of state agencies or public institutions of higher education.

17 B. All statewide contracts and agreements made and entered into by VITA for the purchase of  
18 communications services, telecommunications facilities, and information technology goods and services  
19 shall provide for the inclusion of counties, cities, and towns in such contracts and agreements.  
20 Notwithstanding the provisions of § 2.2-4301, VITA may enter into multiple vendor contracts for the  
21 referenced services, facilities, and goods and services.

22 B1. The Department may establish contracts for the purchase of personal computers and related  
23 devices by ~~public school~~ *licensed teachers employed in a full-time teaching capacity in Virginia public*  
24 *schools or in state educational facilities* for use outside the classroom. The computers and related  
25 devices shall not be purchased with public funds, but shall be paid for and owned by teachers  
26 individually provided that no more than one such computer and related device per year shall be so  
27 purchased.

28 C. If VITA, or any agency or institution authorized by VITA, elects to procure personal computers  
29 and related peripheral equipment pursuant to any type of blanket purchasing arrangement under which  
30 public bodies, as defined in § 2.2-4301, may purchase such goods from any vendor following  
31 competitive procurement but without the conduct of an individual procurement by or for the using  
32 agency or institution, it shall establish performance-based specifications for the selection of equipment.  
33 Establishment of such contracts shall emphasize performance criteria including price, quality, and  
34 delivery without regard to "brand name." All vendors meeting the Commonwealth's performance  
35 requirements shall be afforded the opportunity to compete for such contracts.

36 D. This section shall not be construed or applied so as to infringe upon, in any manner, the  
37 responsibilities for accounting systems assigned to the Comptroller under § 2.2-803.

ENROLLED

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