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HOUSE BILL NO. 2556**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on General Laws

on February 16, 2005)

(Patron Prior to Substitute—Delegate Cline)

A *BILL to amend and reenact § 2.2-5513 of the Code of Virginia, relating to the Competitive Government Act.*

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-5513 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-5513. Responsibilities of Governor to ensure efficiency in government.

A. The Governor shall cause to be conducted an examination of the commercial activities that are being performed by state employees at state agencies and institutions to ensure such activities are being accomplished in the most cost-efficient and effective manner.

B. The examination required by subsection A shall be completed at least once in every two-year period and may be conducted entirely by a commercial source through a solicitation process as provided in the Virginia Public Procurement Act (§ 2.2-4300 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

C. The examination required by subsection A shall consider at least three commercial activities as the Governor or the commercial source may identify.

D. Upon determination that outsourcing a commercial activity may result in reduced costs or otherwise provide a measurable benefit to the Commonwealth and to assure such activities are being accomplished in the most cost efficient and effective manner, the Governor shall cause that commercial activity to be competed in accordance with the Virginia Public Procurement Act or by using the processes described in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

E. *If none of the three activities identified in subsection C are caused to be competed in accordance with subsection D, all state agencies shall procure all services identified under subsection A from a commercial source. However, upon a written determination made in advance by a state agency that the procurement of such services from a commercial source is either not practicable or fiscally advantageous, the service may continue to be performed by the state agency.*