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SENATE BILL NO. 525

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend and reenact § 2.2-4328 of the Code of Virginia, relating to the Virginia Public Procurement Act; preference for local products and firms; applicability.*

Patron—Marsh

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-4328 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-4328. Preference for local products and firms; applicability.

A. The governing body of a county, city or town may, in the case of a tie bid, give preference to goods, services and construction produced in such locality or provided by persons, firms or corporations having principal places of business in the locality, if such a choice is available; otherwise the tie shall be decided by lot, unless § 2.2-4324 applies. *The provisions of this subsection shall apply only to bids submitted pursuant to a written Invitation to Bid.*

B. ~~The provisions of this section shall apply only to bids submitted pursuant to a written Invitation to Bid.~~ *For procurements under competitive sealed bidding, the governing body of a county, city, or town may apply a discount to the bid of each bidder located within its county, city, or town of up to 10 percent of the amount bid, provided that the percentage of the discount is stated in the Invitation to Bid.*

C. *For procurements under competitive negotiation, the governing body of a county, city, or town may increase any scores assigned during the evaluation of proposals to the proposal of each offeror located within its county, city, or town by up to 10 percent of that offeror's evaluation score, provided that the percentage of the increase is stated in the Request for Proposal.*

D. *For procurements conducted pursuant to small purchase procedures adopted in accordance with subsections G and H of § 2.2-4303, the governing body of a county, city, or town may apply a discount percentage or increase percentage similar to those authorized in subsections B and C, provided that the discount percentage or increase percentage is stated in any informal solicitation and does not exceed 10 percent.*

INTRODUCED

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