

**Department of Planning and Budget  
2013 Fiscal Impact Statement**

**1. Bill Number:** HB1994

**House of Origin**     Introduced       Substitute       Engrossed  
**Second House**     In Committee     Substitute       Enrolled

**2. Patron:** Massie

**3. Committee:** Passed both houses

**4. Title:** Virginia Public Procurement Act; contract pricing arrangements.

**5. Summary:** The proposed bill would specify that certain types of contract pricing arrangements are not prohibited by the Code of Virginia. Currently, the Code directs that public contracts be awarded on a fixed price or cost reimbursement basis and that, except for emergency situations, no public contracts are to be awarded on the basis of cost plus a percentage of cost.

The proposed legislation amends the Code to allow public contracts made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act (PPTA) or a qualifying project under the Public-Private Education Facilities and Infrastructure Act (PPEA).

**6. Budget Amendment Necessary:** None.

**7. Fiscal Impact Estimates:** Final. See Item 8.

**8. Fiscal Implications:** The proposed legislation would authorize certain types of contracts related to the solicitation or the evaluation of PPTA or PPEA proposals. The proposed legislation is not expected to impact state finances.

**9. Specific Agency or Political Subdivisions Affected:** Agencies participating in the PPEA or PPTA process.

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 3/14/2013 dpb/smc

**Document:** G:\GA\FIS 2013\HB1994ER.doc