

**Department of Planning and Budget  
2012 Fiscal Impact Statement**

**1. Bill Number:** HB334

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

**2. Patron:** Villanueva

**3. Committee:** General Laws

**4. Title:** Virginia Public Procurement Act; bid match preference for Virginia businesses.

**5. Summary:** Provides a bid match preference for Virginia businesses in procurements up to \$100,000. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent or \$10,000 of the lowest bid of an out of state bidder, whichever is less.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Indeterminate

**8. Fiscal Implications:** Establishment of procurement procedures allowing state agencies and institutions to match prices from an out-of-state bidder would create an in-state preference. In-state preferences could limit competition and result in the increased costs of goods and services. In addition, preference procurements can increase administrative processing time and delay procurement awards, resulting in increased resource costs for all public bodies falling under the Virginia Public Procurement Act.

**9. Specific Agency or Political Subdivisions Affected:** All public bodies except Level III Institutions of Higher Education and Level II institutions operating under Management Agreements and Memorandums of Understanding. These institutions are not subject to the Virginia Public Procurement Act. Christopher Newport University, the Virginia Community College System and its twenty three Community Colleges are subject to the Virginia Public Procurement Act but this bill would not apply to their Capital Outlay procurements per their Memorandum of Understanding. The Level III and Level II Institutions of Higher Education account for a large percentage of the procurement dollars in the Commonwealth.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** 1/18/12

**Document:**

c: Secretary of Administration