

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB1378

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Barker

3. Committee: General Laws and Technology

4. Title: Virginia Public Procurement Act; cooperative procurement; certain councils of governments.

5. Summary: Provides that a public body may purchase from the contract of a council of governments comprised of public bodies. The bill also provides that a public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with a council of governments comprised of public bodies.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Fiscal impact is indeterminate. See Item 8.

8. Fiscal Implications: The fiscal impact of this bill is indeterminate.

The bill allows public bodies to utilize contracts established by Councils of Government (COG). As nongovernmental, voluntary associations of elected public officials, COG contracts are not subject to or executed under the Virginia Public Procurement (VPPA) or other Commonwealth procurement policies and procedures. Therefore, public bodies' use of such contracts may result in contract terms inconsistent with those normally executed under VPPA and may provide less legal protection to the purchasing public body.

Statewide contracts are designed to leverage the collective purchasing power of the state to lower costs. If purchases utilizing COG contracts decrease those of statewide contracts, statewide contracts may have less leverage to negotiate.

9. Specific Agency or Political Subdivisions Affected: State agencies and other public bodies without an exception to the Virginia Public Procurement Act

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/29/2015

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