

Department of Planning and Budget

2016 Fiscal Impact Statement

1. Bill Number: HB786-ER

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

2. Patron: Adams

3. Committee: Passed Both Houses

4. Title: Virginia Public Procurement Act; certain set-aside awards.

5. Summary: Provides that any enhancement or remedial measure authorized by the Governor for state public bodies shall include a provision that the procurement shall be conducted in accordance with such enhancement or remedial measure for businesses certified by the Department of Small Business and Supplier Diversity. If such enhancement or remedial measure provides for an award priority for such businesses, then the contract shall be awarded in accordance with such priority if such priority business participated in the solicitation and requirements are met. If an award is not made based on the foregoing, then the contract shall be awarded in accordance with the next award priority and so on until a contract is awarded based on the established award priority. If an award is not made pursuant to the established award priorities, the award may be made without regard to such enhancement or remedial measure.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact. See Item 8, below.

8. Fiscal Implications: No state fiscal impact is expected, as the bill is consistent with current state practices. Enhancements authorized by the Governor pursuant to subsection C of § 2.2-4310, Code of Virginia, provide set-aside priority to micro-businesses for purchases under \$10,000 when the price quoted is fair and reasonable. Under current procurement practices for purchases subject to the micro-business set-aside, if no certified micro-business is available or the price is not considered fair and reasonable, award priority is then given to small businesses. In such cases, the procuring state agency will proceed to the next low certified small business and award to them if the price is considered fair and reasonable.

9. Specific Agency or Political Subdivisions Affected: All state agencies subject to enhancement or remedial measures authorized by the Governor pursuant to subsection C of § 2.2-4310, Code of Virginia.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: March 9, 2016
File: HB786ER.doc