

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2688

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: Campbell

3. Committee: General Laws

4. Title: Virginia Public Procurement Act; use of best value procurement; construction.

5. Summary: This bill authorizes any public body to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe (i) the criteria that will be considered in evaluating the proposals and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor. The bill contains technical amendments.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate, see Item 8.

8. Fiscal Implications: The fiscal impact of this bill is indeterminate. This bill allows for best value to be considered for construction procurements. It requires that the Request for Proposal (RFP) includes evaluation criteria that price be weighted at least 51%. This will allow the use of competitive negotiation for construction at any dollar and complexity. Currently the use of competitive negotiations is limited to the use of construction management and Design-Build as set forth in § 2.2-4378 et seq. It is indeterminate how the bill may affect contract costs or the administrative workloads of public bodies for procurement.

9. Specific Agency or Political Subdivisions Affected: All public bodies subject to the Virginia Public Procurement Act (VPPA)

10. Technical Amendment Necessary: No

11. Other Comments: None