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**HOUSE BILL NO. 2237**

Offered January 13, 2021

Prefiled January 13, 2021

*A BILL to amend and reenact § 2.2-4321.2 of the Code of Virginia, as it shall become effective, relating to the Virginia Public Procurement Act; project labor agreements; transportation projects.*

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Patron—McQuinn

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Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 2.2-4321.2 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-4321.2. (Effective May 1, 2021) Public works contracts; project labor agreements authorized.**

A. As used in this section:

"Project labor agreement" means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific public works project.

"Public body" has the same meaning as provided in § 2.2-4301.

"Public works" means the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility or immovable property owned, used, or leased by a public body.

B. Each public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, or when overseeing or administering such procurement, construction, manufacture, maintenance, or operation, may, in its bid specifications, project agreements, or other controlling documents:

1. Require bidders, offerors, contractors, or subcontractors to enter into or adhere to project labor agreements with one or more labor organizations, on the same or related public works projects; and

2. Require bidders, offerors, contractors, subcontractors, or operators to become or remain signatories or otherwise to adhere to project labor agreements with one or more labor organizations, on the same or other related public works projects.

C. Each public body shall, prior to requiring bidders, offerors, contractors, subcontractors, or operators on contracts for the design or construction of a road, highway, bridge, or similar transportation improvement to enter into, become or remain signatories to, or adhere to project labor agreements pursuant to subsection B, make a written determination that requiring such bidders, offerors, contractors, subcontractors, or operators to enter into, become or remain signatories to, or adhere to such project labor agreements advances the public's interests based on objective criteria established by the public body by regulation or ordinance, such as cost, efficiency, quality, safety, timeliness, maintenance of a skilled labor force, labor stability, or advancing minority-owned and women-owned business participation in the project.

INTRODUCED

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