

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 469

An Act to amend the Code of Virginia by adding a section numbered 2.2-4328.1, relating to the Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.

[H 1811]

Approved March 31, 2021

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4328.1 as follows:

§ 2.2-4328.1. Preference for energy-efficient and water-efficient goods.

A. As used in this section, "FEMP" means the Federal Energy Management Program.

B. When in the course of procuring goods, if a state agency receives two or more bids for products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such public body may only select among those bids.

C. When in the course of procuring goods, if a local public body receives two or more bids for products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such local public body may only select among those bids unless, before selecting a different bid, the local public body provides a written statement that demonstrates the cost of the products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified was unreasonable.