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HOUSE BILL NO. 304

Offered January 19, 1994

A BILL to amend and reenact § 11-79 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 11-47.4, relating to the Virginia Public Procurement Act.

Patrons—Martin, Cox, Ingram and Watkins; Senators: Benedetti and Marsh

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 11-79 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 11-47.4 as follows:

§ 11-79. Purchase of building materials, etc., from architect or engineer prohibited.

~~Except in cases of emergency, no~~ *A. No building materials, supplies or equipment for any building or structure constructed by or for a public body shall be sold by or purchased from any person employed as an independent contractor by the public body to furnish architectural or engineering services, but not construction, for such building or structure; from any entity which has provided or is currently providing design services specifying a sole source for such materials, supplies or equipment to be used in such building or structure to the independent contractor employed by the public body to furnish architectural or engineering service; or from any partnership, association or corporation in which such architect or engineer has a pecuniary interest.*

B. No building materials, supplies or equipment for any building or structure constructed by or for a public body shall be sold by or purchased from any entity which has provided or is currently providing design services specifying a sole source for such materials, supplies or equipment to be used in such building or structure to the independent contractor employed by the public body to furnish architectural or engineering services in which such entity has a pecuniary interest.

C. The provisions of subsections A and B shall not apply in cases of emergency.

§11-47.4. Preference for local products and firms.

The governing body of a county, city or town may, in the case of a tie bid, give preference to goods, services and construction produced in such locality or provided by persons, firms or corporations having their principal place of business in such locality, if such a choice is available; otherwise the tie shall be decided by lot.

INTRODUCED

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