

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

[H 304]

Approved

6 **Be it enacted by the General Assembly of Virginia:**

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

9 *§ 11-47.4. Preference for local products and firms; applicability.*

10 *A. The governing body of a county, city or town may, in the case of a tie bid, give preference to*
11 *goods, services and construction produced in such locality or provided by persons, firms or corporations*
12 *having principal places of business in such locality, if such a choice is available; otherwise the tie shall*
13 *be decided by lot, unless § 11-47 shall apply.*

14 *B. The provisions of this section shall apply only to bids submitted pursuant to a written Invitation to*
15 *Bid.*

16 *§ 11-79. Purchase of building materials, etc., from architect or engineer prohibited.*

17 *A. Except in cases of emergency, No building materials, supplies or equipment for any building or*
18 *structure constructed by or for a public body shall be sold by or purchased from any person employed*
19 *as an independent contractor by the public body to furnish architectural or engineering services, but not*
20 *construction, for such building or structure; from any entity which has provided or is currently providing*
21 *design services specifying a sole source for such materials, supplies or equipment to be used in such*
22 *building or structure to the independent contractor employed by the public body to furnish architectural*
23 *or engineering service; or from any partnership, association or corporation in which such architect or*
24 *engineer has a pecuniary personal interest as defined in § 2.1-639.2.*

25 *B. No building materials, supplies or equipment for any building or structure constructed by or for a*
26 *public body shall be sold by or purchased from any person which has provided or is currently providing*
27 *design services specifying a sole source for such materials, supplies or equipment to be used in such*
28 *building or structure to the independent contractor employed by the public body to furnish architectural*
29 *or engineering services in which such person has a personal interest as defined in § 2.1-639.2.*

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

ENROLLED

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