

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 436

*An Act to amend and reenact § 2.1-440.1 of the Code of Virginia, relating to the procurement of computers and related peripheral equipment.*

[H 2564]

Approved March 25, 1999

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

**1. That § 2.1-440.1 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-440.1. Procurement of computer equipment to be based on performance-based specifications.

Should any agency or institution elect to procure personal computers and related peripheral equipment pursuant to any type of blanket purchasing arrangement under which public bodies, as defined in § 11-37, may purchase such goods from any vendor following competitive procurement but without the conduct of an individual procurement by or for the using agency or institution, it shall establish, with the cooperation of the Department of Information Technology, performance-based specifications for the selection of equipment. ~~Such performance-based specifications shall include (i) vendor stability, service, and support; (ii) appropriate specifications regarding a vendor's warranties, network compatibility, performance, and when available, mean time between failure ratings; and (iii) a vendor's formal quality assurance program drafted in accordance with nationally or internationally recognized standards. However, no certification by a private organization that the personal computer meets such national or international standards shall be required. Any equipment which meets such specifications shall be added to the solicitation for the blanket purchase arrangement at the request of any potential bidder. Establishment of such contracts shall emphasize performance criteria including price, quality, and delivery without regard to "brand name." All vendors meeting the Commonwealth's performance requirements shall be afforded the opportunity to compete for such contracts.~~