

# 1999 SESSION

INTRODUCED

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## HOUSE BILL NO. 983

Offered January 26, 1998

*A BILL to amend and reenact § 11-46.1 of the Code of Virginia, relating to the Public Procurement Act; debarment.*

Patrons—McEachin, Baskerville, Brink, Callahan, Christian, Hull, Joannou, Kilgore, McQuigg, Moran, Parrish, Spruill, Stump and Watts

Referred to Committee on General Laws

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

#### **1. That § 11-46.1 of the Code of Virginia is amended and reenacted as follows:**

§ 11-46.1. Debarment.

A. Prospective contractors may be debarred from contracting for particular types of supplies, services, insurance or construction, for specified periods of time. Any debarment procedure shall be established in writing for state agencies and institutions by the agency or agencies the Governor may designate, and for political subdivisions by their governing bodies. Any debarment procedure may provide for debarment on the basis of a contractor's unsatisfactory performance for a public body.

B. *Prospective contractors who have been cited for willful OSHA violations under § 40.1-49.4 within one year preceding the issuance of a Request for Proposal or an Invitation to Bid shall be debarred from bidding on the Request for Proposal or Invitation to Bid. The period of debarment shall expire at the end of (i) three years provided no additional citations for willful violation of § 40.1-49.4 have been issued in that three-year period or (ii) one year provided the contractor establishes a joint management-employee safety and health committee and is not cited for a willful violation of § 40.1-49.4 within that one-year period.*

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