

2012 SESSION

INTRODUCED

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HOUSE BILL NO. 449

Offered January 11, 2012

Prefiled January 10, 2012

A *BILL to amend and reenact § 2.2-4328 of the Code of Virginia, relating to the Virginia Public Procurement Act; use of preferences by localities, public institutions of higher education, and regional public bodies.*

Patrons—Toscano and Surovell

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4328 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4328. Preference for local products and firms; applicability.

A. ~~The governing body of a county, city or town~~ Any locality 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 principal places of business in the locality, if such a choice is available; ~~otherwise the tie shall be decided by lot, unless § 2.2-4324 applies.~~ Any public body that is a public institution of higher education or regional public body may give preference to goods, services, and construction produced in the locality in which the institution or regional public body is located or provided by persons, firms, or corporations having principal places of business in such localities, if such a choice is available.

B. Prior to awarding a contract under the preference provided by subsection A, the locality, public institution of higher education, or regional public body shall certify in writing that (i) exercising the preference provides comparable quality in terms of the goods, services, and construction as compared to other non-local bids, and (ii) using local business provides beneficial economic effects in the community through creating and sustaining local jobs and by generating of local tax revenues.

~~B.~~ C. The provisions of this section shall apply only to bids submitted pursuant to a written Invitation to Bid.

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