

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 11-40 of the Code of Virginia, relating to cooperative procurement.*

3 [H 636]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 11-40 of the Code of Virginia is amended and reenacted as follows:**

7 § 11-40. Cooperative procurement.

8 A. Any public body may participate in, sponsor, conduct, or administer a cooperative procurement
9 agreement with one or more other public bodies, or agencies of the United States, for the purpose of
10 combining requirements to increase efficiency or reduce administrative expenses. Any public body which
11 enters into a cooperative procurement agreement with a county, city, or town whose governing body has
12 adopted alternative policies and procedures pursuant to § 11-35 C or § 11-35 D of this chapter shall
13 comply with the alternative policies and procedures adopted by the governing body of such county, city,
14 or town.

15 B. Subject to the provisions of §§ 2.1-440, 2.1-442 and 2.1-447, any *authority*, department, agency,
16 or institution of the Commonwealth may participate in, sponsor, conduct, or administer a cooperative
17 procurement arrangement with private health or educational institutions or with public agencies or
18 institutions of the several states, territories of the United States, or the District of Columbia, for the
19 purpose of combining requirements to effect cost savings or reduce administrative expense in any
20 acquisition of equipment, instrumentation, or medical care supplies. In such instances, deviation from the
21 procurement procedures set forth in the Virginia Public Procurement Act (§ 11-35 et seq.) and the
22 administrative policies and procedures established to implement the Act will be permitted, if approved
23 by the Director of the Division of Purchases and Supply; however, such acquisitions shall be procured
24 competitively. Nothing herein shall prohibit the payment by direct or indirect means of any
25 administrative fee that will allow for participation in any such arrangement.

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