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## SENATE JOINT RESOLUTION NO. 36

Senate Amendments in [ ] — February 17, 1998

*Requesting the Council on Information Management (or its successor agency or office) [ ~~the~~ Departments of Accounts, General Services, Motor Vehicles, and Transportation, the State Corporation Commission, and the Commission on Local Government and certain other agencies and organizations ] to jointly study methods of electronic contracting and procurement under the Virginia Public Procurement Act (§ 11-35 et seq.).*

Patrons—Ticer, Howell, Newman and Schrock; Delegates: Almand, Bennett, Diamonstein, May, Plum and Scott

Referred to the Committee on Rules

WHEREAS, the federal government has set a goal of "paperless" contracts with its suppliers and contractors by the year 2000; and

WHEREAS, large national companies such as Wal-Mart are requiring their suppliers and contractors to transact business with them through electronic means, such as the global information system known as the "Internet"; and

WHEREAS, estimates indicate that by the year 2000, \$180 billion in electronic transactions will occur worldwide; and

WHEREAS, the advent of numerous and significant technological advancements which facilitate electronic contracting and procurement could result in reshaping government's operations, creating efficiencies, reducing transaction costs, and avoiding duplication; and

WHEREAS, the Virginia Public Procurement Act (VPPA) (§ 11-35 et seq.) was first enacted by the 1982 Session of the General Assembly; and

WHEREAS, the VPPA has been the subject of several studies since its enactment; and

WHEREAS, each session, several bills are introduced which attempt to amend the VPPA or some part of Virginia's public procurement process in some way; and

WHEREAS, despite the studies which have been undertaken and the bills which have been considered, the methods by which the Commonwealth and its political subdivisions procure goods and services have not changed much, even with the advent of numerous and significant technological advancements which could facilitate electronic contracting and procurement; and

WHEREAS, such technological advancements and their effects on the VPPA have not been previously studied; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Council on Information Management (or its successor agency or office), the Departments of Accounts, General Services, Motor Vehicles, and Transportation, the State Corporation Commission, [ ~~and the Commission on Local Government~~ the Office of the Attorney General, the University of Virginia, the Virginia Association of Counties, and the Virginia Municipal League ] be requested to jointly study methods of electronic contracting and procurement under the Virginia Public Procurement Act (§ 11-35 et seq.). At a minimum, the study shall (i) suggest definitions of appropriate terms such as "electronic contracting" and "electronic procurement"; (ii) identify technological advancements which facilitate electronic contracting and procurement, including, but not limited to, use of a mandatory procurement card ("P-card") for small purchases, Internet purchasing, electronic catalogue systems, electronic bid systems, and Web site development; (iii) determine legal impediments in the Commonwealth's laws or regulations which restrict or prohibit electronic contracting and procurement; (iv) establish appropriate safeguards which maintain the purposes and protections of the VPPA through electronic contracting and procurement; (v) determine practical and other impediments which restrict or prohibit electronic contracting and procurement by the Commonwealth and its political subdivisions; (vi) identify any costs associated with implementation of electronic contracting and procurement by the Commonwealth and its political subdivisions; and (vii) determine a reasonable timetable for implementation of electronic contracting and procurement by the Commonwealth and its political subdivisions.

Staff shall be provided to the study by the Council on Information Management (or its successor agency or office). All agencies of the Commonwealth shall provide assistance for the study, upon request.

The Council on Information Management (or its successor agency or office) shall report on the status of the study to the Joint Commission on Technology and Science on or before October 15, 1998, and shall complete their work in time to submit their findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative

ENGROSSED

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**60** Automated Systems for the processing of legislative documents.