

## 2016 General Assembly Procurement FAQs (New Laws Effective 7/1/16)

1. VITA's procurement authority for information technology (IT) goods and services has been expanded.
  - VITA's CIO shall develop policies, standards and guidelines for the procurement of IT of every description.
  - VITA's CIO shall review and approve or disapprove all agency IT procurements including approval of all contracts prior to the execution of the procurement.
  - All IT procurements will be in accordance with VITA's regulations, policies, standards and guidelines.
2. The CIO may exempt from review, but not from the competitive procurement process, any executive branch agency that establishes:
  - Its ability to administer efficiently and effectively the IT procurement, or
  - That it has been subjected to another review process approved by the CIO.
3. §2.2-4302.2 of the Virginia Public Procurement Act regarding competitive negotiation was amended as follows: (new language in bold italics)

In the case of a proposal for IT, as defined in §2.2-2006, ***a public body shall not require an offeror to state in a proposal any exception to any liability provisions contained in the RFP.*** Negotiations shall then be conducted with each of the offerors so selected. ***The offeror shall state any exception to any liability provisions contained in the RFP in writing at the beginning of negotiations, and such exceptions shall be considered during negotiations.***

4. When contracting for IT goods and services, agencies should have a minimum of 3% participation goal for small businesses owned by service disabled veterans.

***“Any state agency’s goals under §2.2-4310 for participation by small businesses shall include within the goals a minimum of 3% participation by service disabled veteran businesses as defined by §2.2-2001 when contracting for IT goods and services.”***
5. Any state governmental agency that purchases goods or services from another governmental agency including those found on the commercial activities list, shall place the purchase orders for such goods and services on eVA.