

## **DEB Notice 101210 – Political Contributions Prohibited During Procurement Process**

**Effective: October 12, 2010**

Add to the following to the Construction and Professional Services Manual in Section 1001.0, General Requirements for Procurement of Construction:

### **1001.9 Political Contributions Prohibited During Procurement Process**

Per Code of Virginia §§ 2.2-4376.1 and 2.2-3104.01, no bidder or offeror, including any individual who is an officer or director of such, who has submitted a bid or proposal to a state agency for the award of a public contract pursuant to the Virginia Public Procurement Act (Code of Virginia § 2.2-4300 et seq.) shall knowingly provide, or make an express or implied promise to make, a contribution, gift, or other item valued over \$50 to the Governor, his political action committee, or the Governor's Secretaries, if the Secretary is responsible to the Governor for any agency with jurisdiction over matters at issue ("Governor's Associates"), during the period between the submission of the bid and the award of the public contract. Likewise, the Governor's Associates shall not knowingly accept such a contribution, gift, or other item under these circumstances. Any person who violates this shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. The provisions of this paragraph shall not apply to contracts with a stated or expected value of under \$5 million or contracts awarded as the result of competitive sealed bidding (as defined in Code of Virginia § 2.2-4301).