MEMORANDUM

TO: Purchasing Offices
    Departments, Institutions, Agencies
    Commonwealth of Virginia

FROM: J. Peter Stamps
    Director

SUBJECT: Changes to the Virginia Public Procurement Act, Effective July 1, 2019

The 2019 session of the General Assembly made changes to the Virginia Public Procurement Act (VPPA) that took effect July 1, 2019 or later. Attached is an unofficial copy of the VPPA incorporating those changes. Changes are indicated by an arrow (→) in the margin. After June 30, 2019, the 2019 version of the VPPA issued by the Division is obsolete.

The following is a brief summary of the significant changes made by the 2019 General Assembly, which are reflected in this copy. For judicial or other legal uses, consult the Code of Virginia.

§ 2.2-4302.2 Request for Proposals, publication

Removes the requirement of newspaper publication of Requests for Proposals for state agencies and local public bodies but requires local public bodies to post solicitations on DGS’ central electronic procurement system, eVA, if they elect not to post in a newspaper.
§ 2.2-4303.01  *High Risk Contracts*

Defines a High-risk contract, outlines a review process for solicitations and draft contracts, and sets forth Contract Administration requirements.

§ 2.2-4303.2  *Job Order Contracting Limitations*

Changes the maximum allowable sum of all jobs performed in a one-year contract term for job order contracts by increasing that maximum from $5 million to $6 million. Also allows JOC contracts to be used for safety improvements or traffic calming measures, in certain cases.

§ 2.2-4343  *Competitive Negotiation Required over $80,000*

Requires all counties, cities, and school divisions, and all towns having a population greater than 3,500 that are exempt from the provisions of the VPPA because they have adopted alternative policies and procedures as permitted by law to procure professional services through competitive negotiation as set forth in § 2.2-4302.2 (Process for Competitive Negotiation) when the cost of the professional service is expected to exceed $80,000 in the aggregate or for the sum of all phases of a contract or project.