

SENATE BILL NO. 318

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws and Technology

on _____)

(Patron Prior to Substitute—Senator Ebbin)

A BILL to amend and reenact § 2.2-4328 of the Code of Virginia, relating to Virginia Public Procurement Act; preference for local products and firms; by localities.

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-4328 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-4328. Preference for local products and firms; applicability.**

A. The governing body of a county, city, or town may, in the case of a tie bid, give preference to goods, services, and construction produced in such locality or provided by persons, firms, or corporations having principal places of business in the locality, if such a choice is available; ~~otherwise the tie shall be decided by lot, unless § 2.2-4324 applies.~~ *The governing body of a county, city, or town may also give preference to such goods, services, and construction if the bid of any person, firm, or corporation having a principal place of business in such locality is within 10 percent of such bid and such person, firm, or corporation is granted the option to match the price of the lowest responsive and responsible bidder, if such a choice is available. If neither choice is available, § 2.2-4324 applies.*

B. The provisions of this section shall apply only to bids submitted pursuant to a written Invitation to Bid.